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Chrystal Macmillan and Elsie Bowerman: first women barristers' negotiation of professional and political identities

Laura Noakes

The Open University Faculty of Business and Law

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Abstract

This thesis examines the relationship between first-wave feminist political activism and the professional identities of early women lawyers through a detailed contextual consideration of two women: Elsie Bowerman and Chrystal Macmillan. Bowerman was a keen member of the Women's Social and Political Union (WSPU). She was Christabel Pankhurst's election agent for the 1918 general election and founded the Women's Guild of Empire (WGE) with fellow suffragette Flora Drummond. Bowerman was called to the Bar in 1924 and practised until 1938. Chrystal Macmillan was a leading member of the National Union of Women's Suffrage Societies (NUWSS), the first woman to plead her case in the House of Lords, and a successful barrister whose feminist politics extended beyond the granting of suffrage to women. Much of her post-World War One activism focused on opposing the practice of assigning married women their husband's identity.

I argue that there were complex and multifaceted connections between these women's activism, legal practice and the law, which originated during the fight for women's votes. I will examine in depth the effect these connections had on their legal aspirations and their involvement with politics after 1918. In doing so my thesis calls attention to the complications encountered by both women within the legal profession as women and feminists, and also reveals their long-term dedication to facilitating legal change through their activism.

This research illuminates the multiple links between Bowerman and Macmillan's roles as barristers and political activists, by exploring how complex societal expectations of women's behaviour interacted with their wish to challenge gendered inequality. Consequently, it complicates our understanding of women entering the professions, feminist activism, and the relationship between law and politics during the late-19th and 20th centuries.

Dedication

For David Ernest Noakes, for reading every essay I have ever written, and for Sheila Noakes, for being my feminist role model.

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Firstly, a heart-felt thank you to my wonderful supervisors, Doctor Caroline Derry and Doctor Matthew Howard. PhDs are stressful undertakings, and without your wise advice and enthusiastic encouragement, the completion of mine would have been much more difficult.

The Open University Law School is such a welcoming environment for a research student to enter into. Thank you to all my colleagues for perceptive feedback and gentle encouragement.

I spent many an hour in archives over the course of the last three years. My thanks go out to the wonderful archivists who assisted in my research, especially the staff at the Women's Library at LSE. Throughout this time I have also had the opportunity to present at a number of conferences, all of which were valuable learning experiences. A special mention must go to the Women's History Network's annual conferences, which combined inspirational speakers, an endlessly interesting programme and very valuable feedback on my papers.

My friends and family have been unfailingly supportive. Thank you to my parents, Timothy and Jackie Noakes, for the liberal use of their printer and their constant cheerleading. Thank you to my siblings, Thomas and Jenny, for the never-ending supply of memes. Jasmin, Charlotte, Georgette, Hannah and Lisa have often provided much-needed

coffee dates and pep talks. Stanley listened to an inordinate number of papers on legal history for a labrador, and Tilly always seemed to fall asleep on the one journal article I was desperate to read!

Finally, thank you to Connor Milligan, for always making me laugh. I love you.

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List of Abbreviations

AMSH - Association of Moral and Social Hygiene

BFUW - British Federation of University Women

CPGB - Communist Party of Great Britain

IAWSEC – International Alliance of Women for Suffrage and Equal Citizenship

IFUW - International Federation of University Women

ILA - International Law Association

ILO - International Labour Organisation

IWSA - International Women Suffrage Alliance (After 1926 known as International Alliance of Women for Suffrage and Equal Citizenship)

LSE – London School of Economics

NUSEC - National Union of Societies for Equal Citizenship (Formerly NUWSS)

NMM - National Minority Movement

NUWSS – National Union of Women’s Suffrage Societies (Later NUSEC)

NUWW – National Union of Women Workers

ODC - Open Door Council

ODI - Open Door International for the Emancipation of the Woman Worker

SDP - German Social Democratic Party

The League - League of Nations

WFL – Women’s Freedom League

WGE - Women’s Guild of Empire

WILPF – Women’s International League for Peace and Freedom

WSPU – Women’s Social and Political Union

Introduction

This thesis examines how two early women barristers, Chrystal Macmillan and Elsie Bowerman, negotiated the relationship between their political activism and legal professional identities. It does so through detailed consideration of their roles as feminist legal campaigners, from the formation of their activism within the movement for women's suffrage to the multifaceted nature of their later women-focused advocacy. In tandem, it explores the challenges and successes within their legal careers, and the relationship between these and the activism in which they participated. The complex, ever-shifting nature of Bowerman's and Macmillan's conception of themselves—their identities—will be revealed through the prism of their professional careers and their feminist activism. As a result, this thesis will substantially further our understanding of the Bar in the years after women were admitted and enhance knowledge of the women's movement's activism, women professionals and feminist pioneers through the prism of Bowerman and Macmillan's lives.

The Two Women in Historical Context

Central to this research is the admission of women to the legal profession. The Sex Disqualification (Removal) Act received royal assent on 23 December 1919, allowing women to become barristers and solicitors for the first time. There were fears from many within the profession that women would flock to become lawyers, but these fears were unfounded as only a small number became legal professionals.¹ Macmillan and Bowerman were a part of this early cohort of women barristers, both called to the Bar in 1924, just two

¹ See, for example: 'Women Lawyers: Would the Profession Become Overcrowded?' *Nottingham Journal*, 31 Mar. 1914, p. 2. In fact, the number of women involved in the legal profession remained relatively small until the 1970s: see Thornton, Margaret, *Dissonance and Distrust: Women in the Legal Profession* (Oxford: Oxford University Press, 1996), p. VIII. By 1931, women made up only 2.7% of the Bar. See: Abel, Richard L., *The Making of the English Legal Profession: 1800-1988* ([n.p.]: Beard Books, 1988), p. 80.

years after the first woman, Ivy Williams, was called.² Both were university-educated: Macmillan was the first woman to graduate with a science degree from the University of Edinburgh, and Bowerman studied for the Mediaeval and Modern Languages Tripos at Girton College, Cambridge.

They both keenly supported women's suffrage, albeit in organisations that, in the popular contemporary and historical narrative, represent diametrically opposed methods, namely suffragists and suffragettes. Macmillan was an integral member of the leading suffragist organisation, the National Union of Women's Suffrage Societies (NUWSS). Suffragists used constitutional methods including petitions presented to Parliament, public meetings, the lobbying of MPs, and propaganda, to promote their cause. By contrast, Bowerman was a supporter of the suffragette Women's Social and Political Union (WSPU). Suffragettes agitated for the vote by organising demonstrations and marches to the English Parliament, interrupting Members of Parliament's (MP) speeches, and campaigning against government candidates at general and by-elections. Militancy escalated after 1909; activists broke windows with stones, the process of hunger striking in prison began, and so did the forcible feeding of suffragettes.³ These activities frequently resulted in the arrest and imprisonment of WSPU members.

Although there are many parallels between Macmillan and Bowerman, both being barristers, feminists and political activists, their differences are also striking. Such differences reveal the contrasting avenues women professionals and political activists took. Macmillan's political beliefs were liberal in nature, even standing for election for Parliament in Edinburgh North in 1935. She was a prominent pacifist during World War One, travelling

² Dr Ivy Williams (1877–1966) – the first woman called to the English Bar, Williams entered academia, becoming the first woman to teach law at a British university. See: Morris, Caroline, 'Dr Ivy Williams: Inside yet Outside', *Women's History Review*, 20:4, (2020), p. 583-614.

³ Rosen, Andrew. *Rise Up, Women!: The Militant Campaign of the Women's Social and Political Union 1903-1914*. ([n.p.]: Routledge, 1974), p. 118 - 132.

around Europe and America at the height of hostilities in an attempt to bring about peace; a position that was not supported by many of her NUWSS colleagues. In contrast, Bowerman was a staunch conservative. She had worked during World War One with Doctor Elsie Inglis's Scottish Women's Hospitals (SWH) in Serbia and Russia. The SWH was a suffragist-affiliated organisation that put women doctors, nurses, ambulances drivers and orderlies at the service of injured troops at the front line. Bowerman worked as an orderly from 1916-17, keeping a diary about her experiences. Her politics were nationalist and imperialist in nature; she was Christabel Pankhurst's election agent for her failed parliamentary bid in 1918, and she later founded the Women's Guild of Empire (WGE) with fellow suffragette Flora Drummond.

Their diversity of experiences mean that this study is wide-ranging in basis, spanning the fields of biography, social history, and legal history. Bowerman and Macmillan were chosen as a focus because they both combined political activism with a professional legal career, and did so in very different ways. Both were notable activists in their time, but despite this, there is a relative paucity of academic studies of both women. This thesis will contribute to the closing of this gap.

Bowerman is mentioned only briefly in Diane Atkinson's comprehensive *Rise Up Women*. Atkinson writes that '[Bowerman] studied law in 1921 and became one of the first women barristers in 1924.'⁴ This small summary indicates an integral facet of Bowerman's identity, her professional role as a lawyer. Bowerman also features fleetingly in work that focuses on more prominent suffrage activists, such as June Purvis's *Biography of Christabel*

⁴ Atkinson, Diane, *Rise Up Women!: The Remarkable Lives of the Suffragettes* (London: Bloomsbury Publishing, 2018) p. 527-528. See also: Crawford, Elizabeth, *The Women's Suffrage Movement: A Reference Guide 1866-1928*, (United Kingdom: Routledge, 2003), p. 73-74., and Cowman, Krista, *Women of the Right Spirit: Paid Organisers of the Women's Social and Political Union (WSPU), 1904-18*, (Manchester: Manchester University Press, 2007), p. 196, quoting Statement from Elsie Bowerman, [n.d.], David Mitchell Collection, Museum of London Library.

Pankhurst,⁵ and organisational histories such as Leah Leneman's account of the Scottish Women's Hospitals during World War One.⁶ As a *Titanic* survivor, along with her mother, Bowerman is the focus of some popular history articles on the disaster,⁷ and has been the subject of a detailed and well researched biographical article by Helena Wojtczak on the *Encyclopedia Titanica* website.⁸ None of these sources, however, have examined Bowerman's professional identity as a barrister, or how her career interacted with her activism.

Macmillan features more prominently in the academic literature, and her actions and activism are examined in greater depth. Her notability as an activist is reflected in the inclusion of her picture on the plinth of the statue of Millicent Fawcett, recently erected in Parliament Square.⁹ Nonetheless, there is a lack of sustained academic consideration of her life. More specifically, she appears in accounts of the suffrage campaign that focus on Scotland¹⁰ or the feminist-pacifist movement in which Macmillan was passionately involved

⁵ Purvis, June, *Christabel Pankhurst: A Biography* (United Kingdom: Routledge, 2018) p. 408.

⁶ Leneman, Leah, *In the Service of Life: The Story of Elsie Inglis and the Scottish Women's Hospitals*, (The Mercat Press, 1994), p. 72.

⁷ See: Kettler, Sara. 'Titanic Survivor: The Extraordinary Life of Elsie Bowerman' *Biography.com*, A&E Networks Television, 7 April 2016, www.biography.com/news/elsie-bowerman-titanic-biography-facts. [accessed 5 August 2018] and 'Titanic Survivors Story – Elsie Edith Bowerman' *Titanic Universe RSS*, www.titanicuniverse.com/titanic-survivors-story-elsie-edith-bowerman/3571. [accessed 5 August 2018].

⁷ 'Portrait of Titanic Survivor and Suffragette Elsie Bowerman Goes To Auction' *Titanic Universe RSS*, www.titanicuniverse.com/portrait-of-titanic-survivor-and-suffragette-elsie-bowerman-goes-to-auction/3991. [accessed 5 August 2018].

⁸ Wojtczak, Helena. 'Elsie Bowerman: Feminist and Barrister' *Encyclopedia Titanica*, 28 August 2003, www.encyclopedia-titanica.org/elsie-bowerman.html. [accessed 5 August 2018]

⁹ See: Gottlieb, Julie. 2020. 'Millicent Fawcett | A statue to suffrage - Research Impact', *Research Impact* < <https://www.sheffield.ac.uk/research/statue-to-suffrage>> [accessed 28 May 2020].

¹⁰ See: Leneman, Leah, *The Scottish Suffragettes (Scots' Lives)* ([n.p.]: NMSE - Publishing Ltd, 2000) and Leneman, Leah, *A Guid Cause: The Women's Suffrage Movement in Scotland*, 2nd ed. (Aberdeen: Aberdeen University Press, 1991).

during World War One.¹¹ However, Macmillan did not leave personal papers or write an autobiography, a fact that discouraged Johanna Alberti from any sustained consideration of Macmillan in her book, *Beyond Suffrage: Feminists in War and Peace, 1914-28*. Instead, Alberti characterises Macmillan as a ‘shadowy figure.’¹² More recently, Helen Kay and Rose Pipes, who have extensively studied Macmillan, have delved into Macmillan’s activism and career in an article.¹³ While this article is very revealing about Macmillan’s life, Kay and Pipes note that Macmillan used legal knowledge to further her activism, but do not focus on how she used her activism to legitimise and stabilise her status as a barrister.

My background in law *and* history, rather than history alone, gives me an insider’s insight into the legal profession and the cultural and social expectations of barristers, and qualifies me to address these gaps. My background frames how I am approaching my research, my disciplinary sympathies and my knowledge. From this brief overview of Macmillan and Bowerman’s places within the historiographical literature, it is clear that neither has received substantive academic attention from legal academics, and the literature in which they feature neglects to take account of, or sometimes fails to even mention, their roles as barristers.

Because of these relative absences in the secondary literature, this thesis focuses on primary sources. Bowerman’s extensive archive is held at the Women’s Library at London School of Economics (LSE), and includes diaries, photographs, Bowerman’s passport,

¹¹ Patterson, David S., *The Search for Negotiated Peace: Women’s Activism and Citizen Diplomacy in World War 1*, (United Kingdom: Routledge, 2008) and Alberti, Johanna, *Beyond Suffrage: Feminists in War and Peace, 1914-28*, ([n.p]: Macmillan, 1989).

¹² Alberti, *Beyond Suffrage*, p. 3.

¹³ See: Kay, Helen, and Rose Pipes, ‘Chrystal Macmillan, Scottish Campaigner for Women’s Equality through Law Reform’, *Women’s History Review*, 29.4 (2020), 716-736. See also: Kay, Helen, ‘Chrystal Macmillan From Edinburgh Woman to Global Citizen’, *Deportate, Esuli, Profughe*, 18–19, (2012), 125–52l. and Kay, Helen, and Katrina Gass. 2015. ‘Chrystal Macmillan 1872-1937’, *Wilpf.org.uk* <<https://wilpf.org.uk/wp-content/uploads/2015/05/Macmillan-Chrystal.pdf>> [accessed 28 May 2020].

correspondence and personal letters from the years 1910 - 1942.¹⁴ There are also numerous deposits of papers about, or written by, Bowerman in other archives. These include Bowerman's correspondence with the historian David Mitchell in the late 1960s and early 1970s at the Museum of London; her educational record and subsequent updates to the roll of register at Girton College, Cambridge; and her work for the BBC Overseas Service during World War Two at the BBC Written Archives. Her unpublished and unfinished memoir, entitled *Reflections of a Square*; her *curriculum vitae*, and obituaries are held in the archive at Wycombe Abbey School, where she was educated as a child, and an institution that she remained devoted to throughout her life.

This amount of archival material is a blessing for a researcher to have and contrasts with the usual sparsity of primary sources for researching women in law.¹⁵ The volume of primary sources, especially in contrast to the paucity of secondary material on both women, underscores the importance of the research conducted for this thesis.¹⁶ Judith Bourne, in her study of early barrister Helena Normanton's life, has suggested that Normanton and her fellow women barristers were 'reluctant to behave in any way that could be construed as self-publicising, such as writing about [their] experience at the Bar.'¹⁷ Bourne suggests that this compulsion to abide by the rules of the Bar may have contributed to a lack of written material on Normanton. This does not seem to have been the case with Bowerman.

However, in Macmillan's case it seems that the sources suffer from what many researchers of early women lawyers struggle with, namely a lack of autobiographical writings and no dedicated archival repository. Macmillan was more well-known during her

¹⁴ Papers Of Elsie Edith Bowerman. (London), 7ELB, London School of Economics, The Women's Library.

¹⁵ Auchmuty, Rosemary. 'Recovering Lost Lives: Researching Women in Legal History' *Journal of Law and Society*, 42.1, (2015), pp. 34-52., (pp. 34-35.).

¹⁶ Despite this, caution must be taken when approaching such archival material in terms of piecing together multiple perspectives and assessing veracity and accuracy.

¹⁷ Bourne, Judith. 2014. 'Helena Normanton and the Opening of the Bar to Women' (unpublished PhD Thesis, Kings College, London), p. 3.

lifetime than Bowerman, but has not received much academic attention. This requires a researcher to be more creative in the discovery of sources. Despite the lack of personal papers, Macmillan was a dedicated member of many feminist organisations during her life. Some of these, such as the Open Door Council and the Association for Moral and Social Hygiene, have minutes of meetings and records of public meetings held; and often they are extensively archived.¹⁸ This material, while not personal, offers another insight into Macmillan's life and, more specifically, her role as an activist. Macmillan also wrote many letters to other prominent feminist contemporaries; these letters appear in other women's archives. However, the fact that this material is scattered across many archives poses particular challenges for research.

The difference in the amount and type of material left behind by Macmillan and Bowerman is striking and suggests the differing ways they saw themselves. Bowerman viewed herself as an activist who used legal knowledge to further her activism. Her work for the WGE during the interwar years explicitly drew on her legal training but also required the skills of publicity Bowerman had honed in the WSPU. It was therefore important for Bowerman to keep records of her activism for posterity, and to note her role in organisations. In contrast, Macmillan saw herself as a lawyer who used activism to develop a more equal conception of the law. She consistently utilised her position as an activist to try to rectify inequalities under the law, for example, during her long campaign on married women's nationality. Macmillan's actions and campaigns were officially recognised; she appeared as an expert witness in front of a Parliamentary Select Committee.¹⁹ Her persona as a feminist campaigner seemed to take a back seat to her lawyering, and this seems to have been a

¹⁸ See: Records Of The Open Door Council. London School of Economics, The Women's Library, 5ODC. London, and Records Of The Association For Moral & Social Hygiene. London School of Economics, The Women's Library, 3AMS. London.

¹⁹ House of Commons Select Committee, 1923. *Report By Select Committee On Nationality Of Married Women*. London: House of Commons, pp.126-140.

deliberate choice in order to change and develop the law in a way that fitted Macmillan's feminist agenda.

This research sheds light on how Bowerman and Macmillan engaged with both the legal profession and feminist activism, and how they situated themselves and constructed their identities within this paradigm. This adds to our understanding of early women barristers and how they defined their professional identities.²⁰ Importantly, through its examination of women practising in a highly exclusive and masculine workplace, it not only complicates but also moves beyond questions of whether women assimilated to or challenged male professional norms. Macmillan and Bowerman simultaneously operated as members of a classic masculine profession, the Bar, and as feminist political activists, a typically unpaid women's activity. Their careers pose questions about the nature of professions and the qualities that characterise them. In addition to this, the fluid and ever-shifting nature of Bowerman's and Macmillan's identities reveals two women who sought to use activism to change the law, and in turn, used the law to bolster their activism, albeit with startlingly different strategies. The many complexities and nuances within the constructions of their identities demonstrate the pressure applied to the professional women during their lifetimes.

A Feminist Legal Biographical Approach

A biographical approach will be taken to evaluate the nexus between Bowerman and Macmillan's professional and activist identities. Traditionally, biography highlighted the achievements of great men and exceptional women. Indeed, within the legal biographical genre, this has definitely been the case until very recently: in his analysis of the field, R. Gwynedd Parry refers to biographies of legal greats, such as HLA Hart and Lord Denning,

²⁰ Polden, Patrick, 'Portia's progress: Women at the Bar in England, 1919–1939', *International Journal of the Legal Profession*, 12.3, (2005), 293–338 (p. 304).

but neglects to mention a single woman.²¹ Parry's discussion of whether legal biography is really legal scholarship is significant to this thesis because his article is only ten years old, demonstrating the pervasiveness of gender in legal biography. In other fields, the biographical approach to history writing fell out of favour in the mid-20th century because of the development of 'history from the bottom up', and the socialist-centred framework that resulted from this concept.²² Therefore, biography as a genre has been critiqued and categorised as 'inherently limited'²³ for its tendency to look at its subject with no reference to their historical, political and social context.²⁴ However, biography has recently returned to favour as a methodological approach, due in part to the complex concepts of identity and diverse analytical frameworks developed by postmodern feminist scholars.²⁵ These approaches 'take gender as one, but not the only, crucial axis of power.'²⁶ Accordingly, biographical approaches have come to the fore in terms of early women lawyers.

As Rosemary Auchmuty has stated, 'there are very few biographies of legal women in the United Kingdom.'²⁷ Indeed, the genre of legal biography has been met with a great deal of resistance within legal academia in general.²⁸ The dearth of legal women's

²¹ Parry, R Gwynedd, 'Is Legal Biography Really Legal Scholarship?', *Legal Studies*, 30 (2010), 208–29. A selection of those referred to are: Lacey, Nicola, *A Life of HLA Hart, The Nightmare and the Noble Dream* (Oxford: Oxford University Press, 2004); Marjoribanks, Edward, *Famous Trials of Marshall Hall*, (London: Penguin, 1989) and Heward, Edmund, *Lord Denning, A Biography* (London: Weidenfeld and Nicolson, 1991).

²² For an example of a feminist conception of this methodology, see: Rowbotham, Sheila, *Hidden From History: 300 Years of Women's Oppression and the Fight Against It* (London: Pluto Press, 1977).

²³ Gordon, Ann D., Mari Jo Buhle and Nancy Schrom Dye, 'The Problem of Women's History', in Carroll, Berenice A., ed., *Liberating Women's History: Theoretical and Critical Essays* (Illinois: University of Illinois Press, 1976), p. 79.

²⁴ *Ibid.*, p. 80.

²⁵ For example: Israel, Kali A. K., 'Writing Inside the Kaleidoscope: Re-Representing Victorian Women Public Figures', *Gender and History*, 2 (1990), 40–48; Kimber Wilson, Marian, 'The "Suppression" of Fanny Mendelssohn: Rethinking Feminist Biography', *19th-Century Music*, 26 (2002), 113–29.

²⁶ Hall, Catherine, *White, Male and Middle Class: Explorations in Feminism and History* (United Kingdom: Polity, 1992), p. 33.

²⁷ Auchmuty, 'Recovering Lost Lives', (p. 34.)

²⁸ Parry, 'Is legal biography really legal scholarship?', p.208.

biographies has been somewhat addressed in recent years, with the publication of biographies of Helena Normanton²⁹ and Rose Heilbron³⁰, and a number of shorter, primarily professional biographies in academic journals, the *Oxford Dictionary of National Biography*, and exhibitions and projects to mark the centenary of the Sex Disqualification (Removal) Act 1919.³¹ However, these biographies (particularly the longer ones) tend to focus on those whom Patrick Polden has defined as the ‘shining stars’³² of the legal profession, for example, the first woman to gain a law degree, the first woman barrister to be admitted to an Inn of Court, hold a brief, or the first woman judge to sit at the Old Bailey.³³ While Macmillan and Bowerman could be considered exceptional biographical subjects from a class point of view, in terms of their professional achievements, they were more ordinary. There is also importance in revealing the unexceptional because this adds to the overall understanding of early women professionals. In this sense, this thesis goes beyond the ‘firsts’ of these early women barristers, and rather aims to place their legal careers in their social and political context.

²⁹ Bourne, *Helena Normanton*

³⁰ Heilbron, Hilary, *Rose Heilbron: Legal Pioneer of the 20th Century: Inspiring Advocate who became England's First Woman Judge* (Oxford: Hart Publishing, 2012).

³¹ Howsam, Leslie. ‘“Sound-Minded Women”: Eliza Orme and the Study and Practice of Law in Late-Victorian England’ *Atlantis: Critical Studies in Gender, Culture & Social Justice* 15.1,(1989).; Howsam, Leslie. ‘Eliza Orme’ *First 100 Years*, 7 August 2015, first100years.org.uk/eliza-orme-2/. [accessed November 12th 2018]; Auchmuty, Rosemary, ‘Whatever Happened to Miss Bebb? Bebb v The Law Society and Women’s Legal History’, *Legal Studies*, 31.2 (2011), 199–230; Bourne Judith, and Caroline Morris, ‘Special Issue: Challenging Women’, *Women’s History Review*, 29.4 (2020); Workman, Joanne. 2004. ;Normanton, Helena Florence (1882–1957), barrister and feminist campaigner’, *Oxford Dictionary of National Biography* <<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-39091>> [accessed 20 February 2021]; ‘Exhibition: Celebrating a Century of Women in Law | Middle Temple’, 2019. Middletemple.org.uk <<https://www.middletemple.org.uk/news/exhibition-celebrating-century-women-law>> [accessed 20 February 2021]; ‘First 100 Years | Celebrating women in law’, *First100years.org.uk* <<https://first100years.org.uk>> [accessed 20 February 2021].

³² Polden, Portia's progress, (p. 304).

³³ Eliza Orme, Helena Normanton, Monica Geikie Cobb and Rose Heilbron respectively.

Auchmuty suggests that many histories of the legal professions tend to gloss over the difficulties faced by early women barristers, focusing instead on the success of their admission and the advances made by exceptional practitioners such as Rose Heilbron.³⁴ Another issue with the focus on firsts is the attention to the specific moments of success rather than a detailed examination of their careers as a whole. A thorough examination of Macmillan and Bowerman's careers exemplifies Auchmuty's critique and reveals the struggles that 'ordinary' women practitioners faced.

Many of the classic academic writings on lawyers share another limitation: a distinct lack of gendered critique. In *Lawyers and the Courts*, Abel-Smith and Stevens mention the admission of women barristers for one and a half pages—in a book totalling almost 500 pages.³⁵ They do not consider the role and impact of gender for those working within the legal profession any further, nor the difficulties that many early women barristers faced. There is also no detailed contextual analysis of material, documents, memoirs or articles produced by early women lawyers. This not only ignores both the institutional and systemic discrimination faced, but also the informal, everyday sexism that many of the early cohorts experienced. It also silences these women, denying them the agency of detailing their own careers and lives. It has been left to feminist writers to question the context in which early women lawyers operated, diving deeply into the often-fragmented documentary evidence to support their analysis. While excellent work has been done by writers such as Polden, Auchmuty and Mossman, among others, in highlighting a number of notable women working in the legal profession, scholarship must develop beyond identifying the successes of exceptional individual lawyers from the footnotes of history books. This thesis will go some way towards widening the focus beyond notable women.

³⁴ Auchmuty, Rosemary, 'Whatever Happened to Miss Bebb? *Bebb v The Law Society and Women's Legal History*', *Legal Studies*, 31.2 (2011), 199–230.

³⁵ Abel-Smith, Brian, and Robert Stevens, *Lawyers and the Courts* (London: Heinemann, 1967), p. 192-194.

By looking at women like Macmillan and Bowerman, who both arguably achieved little in law, we widen the possibility of a more in-depth analysis of what it was actually like for women within law, after admission to the profession and before the influx of women lawyers in the 1970s.³⁶ This will enhance our understanding of the historical context of the Bar during this time and interrogate our definition of success within law, which was particularly narrow. Neither Macmillan nor Bowerman built up a successful practice, became King's Counsel or joined the judiciary, and neither entered the House of Commons as Members of Parliament. However, such a narrow interpretation of the word 'success' is innately sexist; it was coined and developed by men. Macmillan and Bowerman did not measure up against this benchmark and did not aspire to do so. For Bowerman and Macmillan, the status of being among a pioneering cohort of women legal professionals was important; it validated their feminist ideology and in turn contributed to their political activism. Both utilised their knowledge of the law in this activism, using their status as barristers to raise the prestige of their arguments, and using their legal know-how to translate complicated legal concepts into easily understandable statements. In this sense then, both women succeeded, albeit not in the traditional male sense of the word. A biographical approach highlights these women's individual experiences, but it also adds to our interpretation of early women lawyers as a whole by challenging this notion of continual progress and a male-defined model of success.

Bowerman and Macmillan's overtly political activism also challenges Mary Mossman's suggestion of the politically unengaged woman lawyer, 'ungendered.'³⁷ While I do not suggest that this commitment to activism was the norm among early women barristers, Bowerman's and Macmillan's intricately linked professional and political

³⁶ McGlynn, Clare, *The Woman Lawyer: Making the Difference* (Oxford: Oxford University Press, 1998) p. 75.

³⁷ Mossman, Mary Jane, *The First Women Lawyers: A Comparative Study of Gender, Law and the Legal Professions* (Oxford: Hart Publishing, 2006) p. 21.

identities do indicate closer connections between the organised women's movement and the legal profession than perhaps first thought, at least in England and Wales.

Identifying Key Themes in this Thesis: Identity, Feminisms and Feminist Activism, and Professions and Professionalism

The key concepts that permeate this thesis are not easily pinned down in single definitions. Rather, the thesis develops and complicates our understanding of them. However, since the terms have a multiplicity of meanings, it is important to consider at the outset what is meant by words such as 'identity', 'feminism' and 'professional'. The basic definitions offered here provide an underpinning and starting point for the more detailed discussions and nuanced uses of these terms in the following chapters.

Identity

The word 'identity' has multiple meanings and has evolved over time, and to date, definitions have failed to comprehensively capture the complexities of the term, despite its prevalence in academic discourse. Much of our understanding derives from the work of psychologist Erik Erikson, who posits in his theory of psychosocial development that during adolescence people seek to develop a sense of self, or identity, which he characterises as 'a process "located" *in the core of the individual* and yet also *in the core of his communal culture*.'³⁸ This articulates the two central tenets of the meaning of identities that will be explored in this research: that of an internal, retrospective, self-realising identity and, in tandem, a public-facing, external persona. It would be remiss not to briefly mention the criticism some academics have applied to the term 'identity' as a category of analysis; both

³⁸ Erikson, Erik, *Identity Youth and Crisis* (London: W. W. Norton and Company, 1968), p. 22.

Gleason and Brubaker and Cooper have argued that is too vague a term, with Gleason suggesting that it is ‘elusive and ubiquitous.’³⁹ Postmodern writers have questioned whether a fixed, immersive identity exists in human behaviour.⁴⁰ Feminist theorists have similarly challenged the concept, arguing that often identity is gendered and susceptible to binaries of ‘sameness-difference that rigidifies into a discourse of opposites.’⁴¹

Despite these critiques, ‘identity’ is still a useful term. James D. Fearon has built upon Erikson’s theories on identity, arguing that identity is used in ‘two linked senses... “social” and “personal”.’⁴² Fearon characterises the social identity as ‘a set of persons marked by a label and distinguished by rules deciding membership and (alleged) characteristic features or attributes.’⁴³ In terms of this thesis, the social identity of Bowerman and Macmillan would be the public presentation of their identities; the personas that they wanted to be exhibited. These would include their membership of the legal profession, as well as their status as feminist political activists including their membership of particular organisations. Fearon argues that personal identity constitutes ‘a set of attributes, beliefs, desires, or principles of action that a person thinks distinguish her in socially relevant ways and that (a) the person takes a special pride in; (b) the person takes no special pride in, but

³⁹ Gleason, Philip, ‘Identifying Identity: A Semantic History’, *The Journal of American History*, 69.4 (1983), 910–31 (p. 910.); Brubaker, Robert, and Frederick Cooper, ‘Beyond “Identity”’, *Theory and Society*, 29.1 (2000), 1–47 (p. 1.).

⁴⁰ See: Levine, Charles, ‘What Happened to Agency? Some Observations Concerning the Postmodern Perspective on Identity’, *Identity*, 5.2 (2005), 175–85; Wurgaft, Lewis D., ‘Identity in World History: A Postmodern Perspective’, *History and Theory*, 34.2 (1995), 67–85; Green, David Michael, ‘The End of Identity? The Implications of Postmodernity for Political Identification’, *Nationalism and Ethnic Politics*, 6.3 (2000), 68–90.

⁴¹ Benjamin, Jessica, ‘Sameness and Difference: Toward an ‘Overinclusive’ Model of Gender Development’, *Psychoanalytic Inquiry*, 15 (1991), 125–142 (p. 126.) See also: Ferguson, Ann, ‘A Feminist Aspect Theory of the Self’, *Canadian Journal of Philosophy*, 13 (2004), 339–56.; Rupp, Leila J., and Verta Taylor, ‘Forging Feminist Identity in an International Movement: A Collective Identity Approach to Twentieth-Century Feminism’, *Signs*, 24.2 (1999), 363–86.

⁴² Fearon, J. D. (1999). What Is Identity (As We Now Use the Word)? California: Stanford University.
<http://www.stanford.edu/~jfeardon/papers/iden1v2.pdf>, p. 2.

⁴³ *Ibid.*

which so orient her behaviour that she would be at a loss about how to act and what to do without them; or (c) the person feels she could not change even if she wanted to.’⁴⁴ Fearon’s conception of the personal identity refers to a subject’s self-derived, internal formulation of themselves. Fearon believes that both of these facets of identity are interlinked; ‘social identity (membership in a social category) might enter into or partially constitute personal identity.’⁴⁵ It is important to note that Fearon’s definition implicitly acknowledges that identity is not fixed or innate when he posits that the personal and social facets are interlinked. This thesis will utilise Fearon’s exploration of the term in the analysis of the construction and development of Bowerman’s and Macmillan’s identities.

Feminisms and Feminist Activism

Feminism is a complex and ever-evolving concept, and it is difficult to apply historically given that it ‘is a contested term even in the present.’⁴⁶ By the time Bowerman and Macmillan became activists, the word had entered into common usage as a term ‘[indicating] support for women’s equal legal and political rights with men’.⁴⁷ Offen has put forward three conditions for historical women to meet before being described as feminists in the anachronistic sense: ‘they recognise the validity of women’s own interpretations of their lived experience ... they exhibit consciousness of ... institutionalized injustice (or inequity) toward women as a group by men ... [and] they advocate the elimination of that injustice by challenging ... the coercive power.’⁴⁸ This characterisation is demonstrative of the

⁴⁴ *Ibid.*, p. 25.

⁴⁵ *Ibid.*, p. 11.

⁴⁶ Rupp, Leila J., and Verta Taylor, ‘Forging Feminist Identity in an International Movement: A Collective Identity Approach to Twentieth-Century Feminism’, *Signs*, 24.2 (1999), 363–86 (p. 363.).

⁴⁷ Honderich, Ted, *The Oxford Companion to Philosophy*. (Oxford: Oxford University Press, 1995), p. 292.

⁴⁸ Offen, Karen, ‘Defining Feminism: A Comparative Historical Approach’, *Signs*, 14.1 (1988), 119–57 (p. 152.).

multitudes and contradictions inherent within feminism. Therefore, it allows for a broad conceptualisation of early feminists' lives and career and is inclusive of other ways in which women constructed their identities, such as class, political ideology and sexuality. This thesis will use the term feminist despite the apparent anachronism because it is a meaningful way of describing women who met these appropriate definitions.

Bowerman and Macmillan's political activism originated in the agitation for women's suffrage, and feminist advocacy remained a constant within their later work. From Macmillan's campaigning on married women's nationality, to Bowerman's work with the United Nations Commission on the Status of Women, challenging gendered inequalities was crucial to the construction of their political identities. Consequently, both women's activism was analogous with Offen's definition of early feminism. Despite this, there were clear differences in the women's political leanings.

Bowerman was conservative in outlook, and later in life was not averse to critiquing second-wave feminism, writing that 'mere talk of "burning bras" or sexual politics is not going to make the world safe or sure for the girls of the future, but is much more likely to drive them into the camps of the Communists.'⁴⁹ Histories have traditionally focused on liberal women, leading to the marginalisation of historical subjects whose politics are less analogous with modern feminist philosophy.⁵⁰ There have therefore been substantial gaps within the historiography on right-wing feminism.⁵¹

⁴⁹ 'Elsie Bowerman's Unpublished Memoir' (Wycombe), Wycombe Abbey School Archive, Women's Suffrage Chapter, p. 4.

⁵⁰ For an example of this, see June Purvis's and Maureen Wright's critique of Sylvia Pankhurst's autobiographical writings on her sister Christabel which have formed the dominant narrative within suffrage history. Purvis, June, and Maureen Wright, 'Writing Suffragette History: The Contending Autobiographical Narratives of the Pankhursts', *Women's History Review*, 14.3 & 4 (2005), 405–34.

⁵¹ See Berthezène, Clarisse, and Julie V. Gottlieb, eds., *Rethinking Right-Wing Women: Gender and the Conservative Party, 1880s to the Present* (Manchester: Manchester University Press, 2017) and Berthezène, Clarisse, and Julie V. Gottlieb, 'Considering Conservative Women in the Gendering of Modern British Politics', *Women's History Review*, 28.2 (2018), 189–93.

In contrast, Macmillan's liberal political leanings and her involvement with the suffragists made her, historically, a more palatable research subject for feminist historians. This does not make her feminism less valid than Bowerman's, but it does demonstrate not only the gaps in our historical knowledge on conservative feminism and the difficulties of categorising historical feminists, but also the multiplicitous nature of feminism. Therefore, it might be more appropriate to refer to feminisms rather than one singular feminism when discussing Bowerman and Macmillan's activism.

Different from the feminisms of my research subjects is the feminism I am using to approach this thesis. Initially, I was uncomfortable with the differences between my research subjects' conception of feminism and my own feminist beliefs and academic approaches. Subsequently, I reconciled myself to the differences between the feminisms of the first-wave women's movement and my personal ideology, by realising that the contrast between these political and social ideologies reflects the complexities of feminism and its development through time. I also recognised that I did not have to agree with my research subjects, and that my understanding of the historical context of their views helped me to move such superficial evaluation to a more nuanced analysis.

My methodology is explicitly feminist, and is particularly influenced by feminist legal theory. As Carol Smart states, 'law is not a free-floating entity, it is grounded in patriarchy, as well as in class and ethnic divisions.'⁵² This is a crucial theoretical standpoint, the impact of which will be explored throughout this thesis. The belief in the neutrality of the legal system is pervasive, but many women's encounters with the law, especially during the period that my research focuses on, cast doubt on such a claim. Smart continues her analysis by arguing that 'law is constituted as a masculine profession, not simply on the empirical grounds that there are few women lawyers or judges, but on the grounds that doing

⁵² Smart, Carol. *Feminism and the Power of Law*, (United Kingdom: Routledge, 2015), p. 88.

law and being identified as masculine are congruous.’⁵³ She compares the entry of women into nursing with the entry of women into the law, arguing that ‘that there are overlays of discourses of femininity with nursing and of masculinity with lawyering.’⁵⁴ The women that this thesis will examine were explicitly challenging a profession that was overtly associated with masculinity. Their study of law and entry into the legal profession was a challenge to a wholly phallogentric culture; a ‘culture which is structured to meet the needs of the masculine imperative’.⁵⁵ Within this thesis, my feminist methodology will analyse the construction and development of Bowerman and Macmillan’s political and professional identities through a gendered lens, looking specifically at the legal and societal barriers to the development of these identities. In doing so, it will also analyse instances of institutional sexism within law, the legal profession and the political sphere during both women’s lifetimes.

Professions, Professionalism and the Legal Profession

The terms ‘professions’, ‘professionals’ and ‘professionalism’ are multifaceted in nature, and it is necessary to elaborate on their definition and place them within the context of early women barristers and political activists. Indeed, the meaning of ‘professions’ is central to the argument of this thesis. Long-standing sociological theories on professions have posited the idea that professions have distinguishable attributes which separate them from other occupations.⁵⁶ Although there have been extensive ‘academic battle zones’ on what constitutes a profession, many definitions identify a profession as being a full-time, non-manual occupation with a monopoly for expert services, self-governance, and a scholarly

⁵³ *Ibid.*, p. 86.

⁵⁴ *Ibid.*, p. 87-88.

⁵⁵ *Ibid.*, p. 27.

⁵⁶ See Hall, Richard, ‘Professionalization and Bureaucratization’, *American Sociological Review*, 33.1 (1968), 92–104 and Wilensky, Harold L., ‘The Professionalization of Everyone?’, *American Journal of Sociology*, LXX (1964), 137–58.

and systematic training process.⁵⁷ The legal profession is a classic example of a profession. As Duman has stated, by the 19th century law had ‘autonomy from external interference, monopoly over practice, the possession of esoteric knowledge and skills, corporate identity and a position of dominance over a clientele dependent upon professional advice.’⁵⁸

In addition to identifying their characteristics, it is important to place the professions within their proper historical and geographical context. In Britain, modern professions emerged in the aftermath of the industrial revolution of the late 18th to the later 19th century, a time of economic transformation that brought substantial legal, political and societal changes.⁵⁹ Indeed, crucial components of these changes were the improvements in women’s education, legal status, and their entry into some professions. Achieving these changes was the focus of feminist groups that made up the first-wave women’s movement.⁶⁰ As will be further detailed in Chapter Two, Bowerman and Macmillan grew up within a society that was simultaneously influenced by and resistant to such political beliefs. These experiences coloured the development of their political identities but were also influential in the formation of their professional identities, because the very idea that women could join the professions was new.

⁵⁷ Burrage, Michael, *Revolution and the making of the contemporary legal profession* (Oxford: Oxford University Press, 2007), p. 7. For discussions of the issues defining profession, see: Cogan, Morris L., ‘The Problem of Defining a Profession’, *The ANNALS of the American Academy of Political and Social Science*, 297.1 (1955), 105–11; Torstendahl, Rolf, ‘The Need for a Definition of “Profession”’, *Current Sociology*, 53.6 (2005), 947–51; and Adams, Tracey L., ‘Profession: A Useful Concept for Sociological Analysis?’, *Canadian Review of Sociology*, 47.1 (2010), 49–70.

⁵⁸ Duman, Daniel, *The English and Colonial Bars in the Nineteenth Century* (London: Croom Helm, 1983), Introduction.

⁵⁹ Perkin, Harold, *The Rise of Professional Society* (United Kingdom: Taylor & Francis Group, 2002).

⁶⁰ See: Morgan Green, Laura, *Educating Women: Cultural Conflict and Victorian Literature* (Athens: Ohio University Press, 2001) and Bryant, Margaret, *The Unexpected Revolution: A Study in the History of the Education of Women and Girls in the Nineteenth Century* (Great Britain: University of London Institute of Education, 1979); Witz Anne, *Professions and Patriarchy* (London: Routledge, 1992); Holme Lee, *Victorian Ladies at Work: Middle-Class Working Women in England and Wales 1850-1914* (United States of America, David & Charles, 1973) and *Unequal Opportunities: Women's Employment in England 1800-1918*, ed. by Angela V. John (Oxford: Basil Blackwell, 1986).

Feminist scholars have long highlighted the connections between the professions and gender. Anne Witz revealed how the historical gendered dimensions of professions excluded women, and argued that women responded to this exclusion by using ‘credentialist and legalistic tactics’ to challenge and subvert societal expectations.⁶¹ Other scholars have built upon Witz’s work: Cowman and Jackson convincingly argue that ‘while the project of professionalisation was a simple route to the acquisition of status for men, different configurations of feminine ‘respectability’... meant that the effects of assuming a professional identity were ambiguous for women.’⁶² Jenkins elaborates upon this idea, stating that ‘by the late nineteenth century professionalism and middle-class masculinity were firmly entwined as the workplace became a key site for the construction of masculine identity.’⁶³ Such work has not only revealed the difficulties for women historically to establish themselves within professions, but also suggested that the concept of masculinity was irretrievably interrelated to the concept of professions. Historical definitions of professions from the late 19th and early 20th centuries implicitly excluded women because of the societal restrictions they laboured under. Women were therefore ‘deemed unfit’ to enter the professions.⁶⁴

To complicate the concept of professions further, the cultural and societal differences between professions must also be considered. Scholarship focusing on women artists, factory inspectors, social workers, and justices of the peace has revealed the diversities of experience between professions, but has also demonstrated that gendered discrimination in some form existed across professions during the time period under discussion.⁶⁵ Witz has

⁶¹ Witz, *Professions and Patriarchy*, p. 50-88.

⁶² Cowman, Krista, and Louise Jackson. ‘Middle-class women and professional identity’, *Women's History Review*, 14.2 (2005), 165-180. (p. 166.).

⁶³ Jenkins, Beth, ‘Gender, Embodiment and Professional Identity in Britain, C.1890-1930’, *Cultural and Social History*, 17.4 (2020), 499-514. (p. 501.).

⁶⁴ Malatesta, Maria, *Professional Men, Professional Women: The European Professions from the 19th Century until Today* (New York: SAGE Publications, 2010), p. 126.

⁶⁵ See: Thomas, Zoe, ‘At Home with the Women’s Guild of Art: Gender and Professional Identity in London Studios c.1880–1925’, *Women’s History Review*, 24.6 (2015), 938–64;

convincingly argued that occupations dominated by women were often considered impossible to professionalise.⁶⁶ This was not the case with law: women remained a tiny minority for decades after they were granted entry in 1919, and male dominance and long-standing classification as a profession resulted in differing challenges for early women barristers.

As this thesis seeks to uncover the shifting relationship between its subjects' professional and political identities, it is also interesting to note the historical links between such concepts. Angela Woollcott states that 'men's professional authority was linked to middle-class men's inclusion in political citizenship and middle-class political ascendancy.'⁶⁷ Connections between the two were not new, and indeed women such as Bowerman and Macmillan were following well-established pathways by linking their active participation in citizenship to the construction of their professional identity. Despite the academic uncertainties regarding what constitutes a profession, and the difficulties many female-dominated occupations faced in being recognised as professions, it is clear that law is one.

What is less clear is whether political activism can be considered a profession. Using traditional parameters, it would not normally be—it does not appear that Bowerman or Macmillan were ever paid for their work, nor did the organisations they were a part of have a monopoly on feminist political activism. However, as Anne Logan has stated in her study of women Justices of the Peace (JP), working as a JP granted women social status and many took their role very seriously.⁶⁸ Logan, therefore, concludes that the position of JP was

Livesey, Ruth, 'The Politics of Work: Feminism, Professionalisation and Women Inspectors of Factories and Workshops', *Women's History Review*, 13.2 (2004), 233–62; Woollcott, Angela, 'From Moral to Professional Authority: Secularism, Social Work, and Middle-Class Women's Self-Construction in World War I Britain', *Journal of Women's History*, 10.2 (1998), 85–111; Logan, Anne, 'Professionalism and the Impact of England's First Women Justices, 1920-1950', *The Historical Journal*, 49.3 (2006), 833–50.

⁶⁶ Witz, *Professions and Patriarchy*, p. 60.

⁶⁷ Woollcott, 'From Moral to Professional Authority' (p. 87.)

⁶⁸ Logan, 'Professionalism and the Impact of England's First Women Justices', (p 834-835.).

professional in nature. This argument has a certain synergy to feminist political activists: they too considered their role a serious undertaking and were granted a special social status. In addition, they possessed specialised knowledge of their subject and over the course of the late 19th and early 20th century, activism became increasingly organised and more formal in nature, evolving from domestic settings to sold-out venues such as Caxton Hall in London.

Although connected to professions as a whole, the term ‘professional’ remains somewhat separate. Yet, as Zoe Thomas has argued in her study of women artists, it is difficult to apply to women at this time, mainly because women were more likely to work part-time or domestically and were often unpaid.⁶⁹ In this thesis, a pragmatic approach will be taken in defining the term ‘professional’. Professional will be used to define activism and activities that are non-domestic, increasingly formal in nature, and involving complex, numerically large organisations with branches across a geographically diverse area.

Within the extensive literature on professions as a whole, the legal profession has received comparatively little academic attention. With regard to the Bar, this may be because of the ancient, and sometimes mythologised, origins of the Inns of Court, and the fact that the professionalisation of the Bar does not neatly fit into theories that characterise other professions during the 18th and 19th centuries. Daniel Duman sees the Bar as distinct from other professions in significant ways, such as its retention of ‘its ancient constitution and privileges,’ near the end of the 19th century.⁷⁰ This is an important point, because while the academic literature on professionalism as a whole is useful in terms of the Bar and our understanding of it professionally, it suggests that there are crucial idiosyncrasies that set it apart. Abel argues that this was ‘because the Bar was ancient, small, homogeneous and

⁶⁹ Thomas, ‘At Home with the Women’s Guild of Art’, (p. 941.).

⁷⁰ Duman, *The English and Colonial Bars*, p. 65.

geographically concentrated, it could rely on informal understandings and individual low-visibility decisions to control who entered and how many.⁷¹

A key component of this thesis is the detailed analysis of early women barristers in the legal profession and the ways in which informal understandings mediated their experiences as lawyers. This physical, cultural and intellectual space is an important site of analysis: until 1919 both branches of the legal profession had consistently refused entry to women lawyers.⁷² This is demonstrative of the lack of regard in which women were held within spaces and buildings confined to law and barristers, spaces that were overwhelmingly masculine in nature. As Ren Pepitone has argued, ‘the customary use of dining halls, offices, and even lavatories at the Inns served as both excuses and devices for marginalising women.’⁷³ The Bar, unlike the medical profession, had hitherto managed to keep women out of its highest ranks.⁷⁴ It had also, in the late 19th century, undergone a substantial period of media and legislative critique and attempted reforms. This led to the implementation of the Judicature Acts⁷⁵ and the decline of the traditional circuit system,⁷⁶ as well as education reform in the Inns including the introduction of compulsory entrance exams and the growing stature of academic law in the universities.⁷⁷

All these components led to a distinctive and exclusive Bar culture, into which women entered for the first time in 1919. This culture, as Cocks argues, was instinctively

⁷¹ Abel, Richard L., *The Making of the English Legal Profession: 1800-1988* ([n.p]: Beard Books, 1988), p. 286.

⁷² See, for example: *Cave v Benchers of Gray's Inn*, *The Times*, 3 December 1903; *Bebb v Law Society* (1913) 29 *Law Times Reports* 634, [1913] 109 LTR 36.

⁷³ Pepitone, Ren, ‘Gender, Space, and Ritual: Women Barristers, the Inns of Court, and the Interwar Press’, *Journal of Women's History*, 28.1 (2016), 60–83 (p. 61.).

⁷⁴ Gordon, William M., ‘The Right of Women to Graduate in Medicine - Scottish Judicial Attitudes in the Nineteenth Century’, *Journal of Legal History*, 5 (1984), 136–51.

⁷⁵ The Judicature Acts were a series of legislation that restructured the higher court system, establishing the Supreme Court of Judicature.

⁷⁶ Traditionally barristers travelled the country in regional routes to try cases in localities. This system helped build up their legal practice and establish their reputations.

⁷⁷ Both Cocks, Raymond, *Foundations of the Modern Bar* (London: Sweet and Maxwell, 1983) and Duman, *The English and Colonial Bars in the Nineteenth Century* examine these developments in detail.

male: ‘those who wrote about the Bar were very concerned with men, and in particular extraordinary men.’⁷⁸ Masculinity was historically inherently bound up with the profession. Given that almost all the judges and many of the MPs who made the law were members of the Bar, masculinity also shaped the concept of law as an objective, neutral force for justice. Modern feminist jurisprudence has long critiqued such ideas. Carrie Menkel-Meadow has argued that feminist academics have ‘[exposed] how law disadvantages women, even when framed in “neutral” terms.’⁷⁹ Macmillan’s campaign to reform married women’s nationality law, explored in Chapter Five, could be seen as a forerunner of this critique. At this point, women were automatically assigned the nationality of their husbands, which led to many issues especially at the outbreak of World War One, when a number of women were considered nationals of belligerent countries purely because of their marriage. Opponents of Macmillan’s campaign argued that families should have a sole nationality, and that allowing women to independently choose their nationality on marriage could have negative consequences for children.⁸⁰ As McGlynn argues, ‘the law is not as simple as the actual words written in a statute, but is intimately bound up in the context of the case, the political and cultural attitudes of the time, and the personal commitment of lawyers and judges.’⁸¹ Lucinda Finley concurs with this analysis, and suggests that the ‘extent to which [law] is male-defined.’⁸² It is perceived to be objective and neutral, is bound up with its status in society at large. Accordingly, ‘the powers of the law, and the deference accorded it, are

⁷⁸ Cocks, *Foundations of the Modern Bar*, p. 28.

⁷⁹ Menkel-Meadow, Carrie, ‘Portia Redux: Another Look at Gender, Feminism and Legal Ethics’, in *Lawyers’ Ethics and the Pursuit of Social Justice: A Critical Reader*, ed by Susan D. Carle (New York: NYU Press, 2005) p. 275.

⁸⁰ Rupp, Leila J, *Worlds of Women: the making of an international women's movement*, (Princeton: Princeton University Press, 1997). p. 146 – 148.

⁸¹ McGlynn, Clare, *The Woman Lawyer: Making the Difference* (Oxford: Oxford University Press, 1998), p. 9.

⁸² Finley, Lucinda M., ‘Breaking Women’s Silence in Law: The Dilemma of the Gendered Nature of Legal Reasoning’, *Notre Dame Law Review*, (1989), 886–910, (p. 886.).

centrally related to its ability to appear to be neutral.’⁸³ However, this so-called neutrality is merely superficial, not only because of sexism within the law, but also because many lawyers heavily involve themselves in business and politics, something that contradicts notions of legal neutrality. As David Sugarman has argued, there are ‘overlapping worlds of law, business, politics, and political discourse.’⁸⁴

This then, not only seems to refute the ideal of lawyers as ‘neutral technicians’ but also suggests that Macmillan’s and Bowerman’s political activism, if they had been men, would have been an accepted element of their lives.⁸⁵ Barristers are, and have frequently been, MPs⁸⁶ and Sugarman argues that ‘lawyers were also a powerful pressure group within and beyond Parliament.’⁸⁷ This points to the close correlation between the legal profession and extra-parliamentary political activism, a type of lawyering reflected vividly in Macmillan and Bowerman’s activism. This suggests that Macmillan and Bowerman were carrying on a long tradition of integrating politics with law, but from a feminist perspective. It was not the political work itself that was new, but the fact that women were doing it. The causes and consequences of this marginalisation for women’s professional identities, as well as their activist ones, are considered throughout this thesis.

The idea that women were welcomed wholeheartedly at the Bar once the Sex Disqualification (Removal) Act 1919 received royal assent is a crass oversimplification.⁸⁸ Sugarman has stated that ‘the modern legal profession constructed and sustained a culture supportive of male exclusiveness’, and this culture pervaded not only the legal profession,

⁸³ Weisberg, D. Kelly, *Women and the Law* (Cambridge, Massachusetts: Schenkman Publishing Company, 1982), p. 2.

⁸⁴ Sugarman, David, ‘Simple Images and Complex Realities: English Lawyers and Their Relationship to Business and Politics, 1750-1950’, *Law and History Review*, 11.2 (1993), 257 – 301, (p. 258.).

⁸⁵ *ibid*, p. 300.

⁸⁶ Duman, *The English and Colonia Bar*, p. 169.

⁸⁷ Sugarman, David, ‘Simple Images and Complex Realities’, (p. 275.).

⁸⁸ Sommerlad, Hilary, and Peter Sanderson, *Gender, Choice and Commitment: Women Solicitors in England and Wales and the Struggle for Equal Status* (Dartmouth Publishing Co Ltd, 1998), p. 42.

but law itself.⁸⁹ Menkel-Meadow argues that a key issue in feminist jurisprudence is whether ‘women who enter the profession will conform to a male model of what it means to be a lawyer.’⁹⁰ This question is central to this thesis, and has as much relevance to early women lawyers as it does to contemporary women.

Upon entry to the profession, women were expected to conform to centuries-old traditions and modes of conduct that were regarded as essential to the integrity of the Bar. Duman suggests that this legal etiquette was oral in nature, passed down via social custom, and was a key influence on barristers’ behaviour.⁹¹ These traditions, and rigid forms of socialisation and discipline, were key to the entity of the Bar, but they must have seemed somewhat strange for women who were completely new to them. Dining in one’s Inn was a requirement for qualifying as a barrister, but Helena Normanton ‘was almost fined a bottle of wine for speaking to someone in the next mess’,⁹² which was against the rules, at her first dinner. How was Normanton to know the rules? Would her ignorance of them have had an effect on her experiences at the Bar? As this event was recorded, it suggests that it was a memorable part of Normanton’s first dinner, a faux pas that may have reaffirmed, in some barristers’ minds, the unsuitability of women lawyers. Therefore, women were still not wholly accepted. Hilary Heilbron notes in the biography of her mother that ‘it was not until November 1961 that women barristers on the Northern Circuit ... were for the first time invited to a social occasion with their male colleagues’, and this type of gendered discrimination was entrenched and prevalent throughout the interwar period and beyond.⁹³

This dichotomy, between the pressure to conform to a male model, while still being excluded from the highest echelons of professional success and power that male barristers

⁸⁹ Sugarman, ‘Simple Images and Complex Realities’, (p. 297.).

⁹⁰ Menkel-Meadow, ‘The Comparative Sociology of Women Lawyers: The “Feminization” of the Legal Profession’, *Osgoode Hall Law Journal*, 24.4 (1986), 897-918, (p. 899.).

⁹¹ Duman, *The English and Colonial Bars*, p. 46.

⁹² Bourne, *Helena Normanton*, p. 91.

⁹³ Heilbron, *Rose Heilbron*, p. 240.

achieved, suggests an interesting tension for early women barristers. Conforming to the male model or ‘disguise’ of success provided women with only a pale imitation of what male barristers could achieve; resisting this model was seen to be a direct challenge to the integrity of the Bar.⁹⁴ In such a male-dominated and somewhat unwelcoming atmosphere, were women barristers’ professional identities jeopardised by their political activities in a way that male barristers’ were not? Such a question harks back to the idea of women and men barristers’ activities being treated differently because of their gender or feminist sympathies. Examination of these complex issues of the myth of legal neutrality, the legal profession’s close interaction with politics, and the entry of political activist women into its ranks will form a key component of this study.

The Structure of this Thesis

This thesis will investigate the connections between Bowerman and Macmillan’s construction and development of their political and professional identities, arguing not only that these identities were closely interlinked, but also that the women’s creation of identities as political activists and as professionals was directly connected to their feminist beliefs.

It will approach the lives of Bowerman and Macmillan thematically, with themes addressed in a broadly chronological format. Such an approach will place both women within their social, political and cultural contexts, while also necessarily examining crucial periods of their lives that influenced both their future careers as barristers and the development of their feminist thought and political activism.

Chapter One will look at Macmillan and Bowerman’s early lives and family backgrounds, and situate the Bowerman and Macmillan families within wider Victorian society. It will also examine the women’s education and trace the beginnings of their respective political activism. In doing this, it will establish the foundations of both women’s

⁹⁴ Thornton, *Dissonance and Distrust*, p. IX.

feminist beliefs, as well as their conception of the sphere of womanhood, and explore how these early life experiences contributed to the future formulation of their identities.

Chapter Two will explore the early development and constant flux of these women's activist identities by examining Bowerman's and Macmillan's work for women's suffrage in the WSPU and the NUWSS, respectively. It will look at the methodology and tactics developed by both organisations, and Macmillan's and Bowerman's role within them. This will reveal the entry points of Bowerman and Macmillan into activism, indicating the importance of feminist thought within the construction of their political identities.

Chapter Three will assess the merging of their established activist identities with more professional ones by tracing the divergent paths taken by Macmillan and Bowerman during World War One. Both women's political work became changed abruptly during the conflict as the sphere of acceptable women's work widened during the conflict. It is in this sense that the women's activism became professionalised. The chapter will look at Macmillan's pacifist feminist efforts to end hostilities, her disconnection from many NUWSS members who supported the war, and Bowerman's work as an orderly for the Scottish Women's Hospitals in Russia and Serbia, very close to the front line. This chapter will argue that the dislocation of war gave Macmillan and Bowerman firm platforms on which to launch their legal careers: as a lawyer committed to progressive social change and as an activist who used the law to promote her political activities, respectively.

Chapter Four will examine both women's activities upon the achievement of suffrage in February 1918, and show that for both, political activism extended beyond suffrage. It will assess the rising prominence of a professional legal identity for both women, looking at the journey that Macmillan and Bowerman took in being admitted to an Inn of Court in 1920 and 1921 respectively, and then called to the Bar in 1924. This pivotal chapter will investigate the tensions between the women's pursuit of a legal career and their continued political activism, and argue that both of these identities were in a constant state of fluidity for both women.

Chapters Five and Six will examine the directions taken by Bowerman and Macmillan individually during their legal careers, including important cases the women were involved in, the challenges they faced as junior barristers, and how both women integrated political activism into their lives while also trying to be successful at the Bar. In particular, these chapters will focus on their respective approaches to succeeding in both their careers and activism. *Chapter Five* will examine Macmillan's objective of thriving as a legal professional while also maintaining an activist identity. *Chapter Six* will look at Bowerman's endeavour to maintain a professional identity that supported her work as a political activist.

The thesis concludes by focusing on the work Macmillan and Bowerman did after their legal careers, looking particularly at Bowerman's extensive work for voluntary organisations, the government, and the BBC during World War Two, and Macmillan's failed attempt to enter Parliament as a Liberal Party candidate in 1935. Alongside analysis of their later work, this chapter will also interrogate the activism that continued throughout both women's lives.

This thesis presents the first in-depth study that focuses on Elsie Bowerman and Chrystal Macmillan's lives, with particular reference to their dual roles as lawyers and as activists. In doing so, it examines two women who, although part of an early cohort of barristers, did not achieve the 'shining star' status ascribed to contemporaries such as Helena Normanton.⁹⁵ In this sense, it presents a more representative portrait of what professional life was like as an early woman barrister. Both women's lives offer us crucial insights into the women's movement during the 20th century, and women's entry into the upper branch of the legal profession. In doing so, it will demonstrate the interconnectivity and continuous negotiation of the women's identities as they adjusted their personas to best achieve their professional and political aims. It will conclude that their status both as lawyers and as political activists was complicated by their gender, and that Bowerman and Macmillan had

⁹⁵ Polden, *Portia's progress*, (p. 304).

to proceed carefully in the pursuit of their feminist political reforms, particularly once they were members of the legal profession.

Chapter One: The Making of Two Feminists: Family Life, Education, and the Beginning of Political Activism

This chapter explores Bowerman and Macmillan's childhoods, with particular consideration of their educational experiences. It demonstrates that both women's feminist upbringings offer pivotal insight into their later lives and the creation of and development of their political and professional identities. Firstly, it explores their familial origins, establishing that both women were raised within progressive environments. These environments instilled in them from an early age the importance of political activism, but also exposed them to the differential treatment women experienced in society. It then looks at their experience as students, considering how their education shaped their ideas of the changing roles available for middle-class women, fostered innovative political ideologies rooted in combatting gendered inequalities, and engendered in them the importance of the concept of pioneering—a theme that would remain prevalent throughout both their lives. This exploration of both women's childhoods and educations will establish the feminist perspective that rooted the formation of their personal and social identities. As James Fearon has persuasively argued, aspects of the personal and social identities have often overlapped.¹ This thesis will posit that feminism was a crucial facet of both Bowerman's and Macmillan's public-facing and introspective identities.

¹ Fearon, *What Is Identity*, p. 11.

Feminist Upbringings: The Family Background and Political and Social Context of Macmillan and Bowerman's Childhoods

In biographical research, childhood is considered key in terms of a nuanced interpretation of the subject's life.² The circumstances of birth, the key familial figures and role models, significant youthful experiences, and the historical and geographical context of upbringing all impact a person's later life. As Davidoff has argued, 'it is within the family ... that formation of both body and psyche, literally and symbolically, first takes place.'³ Fearon's concept of social and personal identities is helpful here: the initial construction of Bowerman's and Macmillan's public personas and internal conception of themselves took place within their childhoods.⁴ Feminist theory on identity is also relevant, particularly in the relationship between daughters and mothers. Ferguson has argued that 'girls have an immediate role model for what it is to be female ... the girl defines a sense of self that is relational or incorporative.'⁵ Both Bowerman and Macmillan's mothers had a pivotal impact on their childhoods and the initial formulations of their identities. The examination of early life is especially important for biographers of women, minorities and those in a lower socio-economic class, who have traditionally been rendered invisible by biographers in their quest for highlighting 'exceptional lives.'⁶ It is important to note briefly the potential of an intersection between these identities. For example, although both Bowerman and Macmillan

² This is, however, not a universal requirement for biographies. Erikson has argued that in some biographies there is over-reliance on 'originology' of a person. Erikson, Erik, *Gandhi's Truth: On The Origins Of Militant Nonviolence* (London: W. W. Norton & Company, 1993), p. 99. Hermione Lee has also noted post-structuralist methodologies that negate the need for a detailed examination of childhood. Lee, Hermione, *Biography: A Very Short Introduction* (Oxford: Oxford University Press, 2009) p. 8.

³ Davidoff, Leonore, *Worlds Between: Historical Perspectives on Gender and Class* (United Kingdom: Polity, 1995) p. 229.

⁴ Fearon, What Is Identity.

⁵ Ferguson, Ann, 'A Feminist Aspect Theory of the Self', *Canadian Journal of Philosophy*, 13 (2004), 339–56 (p. 347.).

⁶ For a critique of this biographical tradition see: Gordon, Ann D. Mari Jo Buhle and Nancy Schrom Dye, 'The Problem of Women's History', in Carroll, Berenice A., ed., *Liberating Women's History: Theoretical and Critical Essays* (Illinois: University of Illinois Press, 1976), p. 79.

were women, their socio-economic class and the fact that they were white English women informed both their activism focus and their professional identity.

For the greater part of this thesis, I will adhere to academic convention and refer to Macmillan and Bowerman by their surnames. However, in the first section of this chapter, given that they have relatives with the same surname, for the sake of clarity I will refer to them by their forenames, as Chrystal and Elsie.

Both were born in Victorian Britain, albeit nearly two decades apart.⁷ By the time of their births, their families were members of the prosperous middle class, with Elsie's father a 'House Proprietor'⁸ and Chrystal's a senior partner in the firm of Andrew Melrose & Co, a prominent tea company and 'one of the oldest Scottish firms in the trade.'⁹ This class status was, however, tenuous, and a recent development in both families. John Macmillan 'had risen from office-boy to proprietorship'¹⁰ and Elsie's parents had met while her mother was working as a draper's assistant.¹¹ In a serendipitous twist of fate, Chrystal and Elsie also shared the same headmistress—Miss Jane Frances Dove, who was in charge of Chrystal's school, St Leonards, during 1882 – 1895 and went on to found Wycombe Abbey, which Elsie attended. Dove was a prominent feminist educator of the time whose worldview shaped both girls' lives. Other pivotal themes in both girls' childhoods were also similar: the influence of women role models, politically engaged fathers and the importance of education being the most prominent.

⁷ Jessie Chrystal Macmillan was born on June 13th, 1872 and Elsie Edith Bowerman was born on December 18th, 1889.

⁸ 'Elsie Bowerman', *Copy of Birth Certificate for Elsie Bowerman, 18 December 1889*, District of Tunbridge Wells. 1890.

⁹ Cheung-Hoh, and Lorna H. Mui, 'Andrew Melrose Tea Dealer and Grocer of Edinburgh 1812–1833', *Business History*, 9.1 (1967), 30–48 (p. 30.).

¹⁰ *Edinburgh Evening News*, 9 January 1901, p. 2.

¹¹ 'Edith Barber', Census Return for Sinnock Passage, Hastings St Clements, Hastings District, Sussex, (Public Record Office: PRO: RG11/1023, folio 4, 2021), p.2. <<http://www.ancestry.co.uk>> (accessed 5 January 2021).

Feminism was an overarching theme in both childhoods. The organised women's movement had begun in Britain in the mid-19th century, with the formation of the first Women's Suffrage Committee in 1865.¹² This Committee collected signatures in support of John Stuart Mill MP's petition to Parliament asking for women's enfranchisement.¹³ By the time of Chrystal's birth in 1872, a loose coalition called the National Society for Women's Suffrage (NSWS) was active.¹⁴ The NSWS held meetings and lobbied MPs throughout the 1870s, resulting in a women's suffrage Bill being introduced in the House of Commons every year from 1870 to 1883, apart from 1880. Women campaigning for reforms as diverse as suffrage, education, child custody, property ownership and divorce worked consistently in hopes of achieving their aims throughout the 19th century. Not only did Chrystal and Elsie grow up in the midst of this flourishing movement but both of their families were receptive to feminism. As will be discussed later in this chapter, Chrystal's father supported girls' schools in the course of his local activism, and Elsie's mother was keen to educate her only child to a high standard.

Almost in tandem with the growth of the women's movement was the wider acceptance of 'an influential domestic ideology ... established within the dominant middle-class culture.'¹⁵ This ideology was characterised by the idea of separate spheres for men and women: men dealing with work and politics and the rough and tumble of the outside world, and women dealing with the domestic and child-rearing.¹⁶ That ideology, which was widely accepted in Victorian Britain, was the antithesis to many feminist ideas. Education was a key platform for reform for many campaigners; however, many middle-class families

¹² Strachey, Ray, *The Cause: a Short History of the Women's Movement in Great Britain*, (London: Virago, 1989), p. 104.

¹³ For a more detailed exploration of this event see: Robinson, *Hearts and Minds*, p. 25 - 30.

¹⁴ Rosen, *Rise Up, Women!*, p. 7.

¹⁵ Purvis, June, *A History of Women's Education in England* (United Kingdom: Open University Press, 1991), p. 9.

¹⁶ Burstyn, Joan N., *Victorian Education and the Ideal of Womanhood* (London: Croom Helm, 1980) p. 32.

accepted that girls did not need to be educated as much as boys because ‘they believed that women acquired their status through men, not through their own efforts.’¹⁷ The Victorian feminist movement, while growing in number and in organisational prowess, must be understood as counter-cultural in nature. This movement was an ideology in a constant state of development and comprised of multiple campaign fronts: women’s education, the repeal of the Contagious Diseases Acts which involved state-sanctioned regulation of sex work, and women’s suffrage, to name but a few.¹⁸ Consequently, children growing up within families receptive to feminism were imbued with ideas and beliefs that differed from the dominant Victorian ideology.

For Chrystal and Elsie, their feminist upbringing set them apart from many of their contemporaries and prepared them for a future in which activism and public duty was considered sacrosanct. It also exposed them to the fundamental and accepted gender differences within Victorian society from a young age, instilling the importance of gender as a category of analysis. Such a woman-and-equality-centred belief system was key in their conception of feminism and key in the early development of their political and professional identities.

Integral to the feminist aspect of both Bowerman’s and Macmillan’s childhoods was the influence of their mothers: ‘motherhood was a vital part of the lives of middle-class wives in Victorian England.’¹⁹ The idealisation of Victorian motherhood owes much to the dominant domestic ideology of the time. However, Carol Smart argues that the women’s movement also played a part in establishing motherhood as ‘a recognized social and legal institution’ because it ‘forced on to the public agenda the beginnings of an appreciation of

¹⁷ *Ibid.*, p. 18.

¹⁸ See: Walkowitz, Judith R., *City of Dreadful Delight: Narratives Of Sexual Danger In Late-Victorian London* (Illinois: University of Chicago Press, 1992).

¹⁹ Branca, Patricia, *Silent Sisterhood Middle Class Women in the Victorian Home* (London and New York: Routledge, 1975) p. 74.

the work of caring and the importance of mother-love for the welfare of children.’²⁰

Motherhood was a complex and evolving concept, appropriated by feminists to attract more support to their cause by not operating in direct conflict with the popular overarching domestic ideology. In Chrystal and Elsie’s case, they were alerted to the ramifications of their gender and the impact it would have on their lives through the experiences of their mothers.

Elsie noted in her memoir that she was keenly aware that after her father’s death in 1895, widowhood had trapped her mother Edith in a ‘sphere’ into which she struggled to integrate socially.²¹ The majority of middle-class Victorian women were also trapped within this sphere. However, in the case of Edith Bowerman, there is a crucial difference: her early adult experience of financial hardship and her need to work before her marriage set her apart from other women of her social position. As Elsie implies, this meant that Edith was not entirely comfortable navigating her subsequent middle-class existence because it separated her from her peers; she had transcended the ‘marked sexual division of labour’, defying Victorian convention.²² This rejection of the dominant cultural conventions set a precedent for Elsie, giving her a feminist role model on whom to base one of the ‘principles’ of her personal identity.²³

Far less is known about Jessie Macmillan, Chrystal’s mother.²⁴ This may be because, historically, women’s lives are generally less recorded than men’s, and because she was too

²⁰ Smart, Carol, ‘Deconstructing Motherhood’, in *Good Enough Mothering? Feminist Perspectives on Lone Motherhood* (London: Routledge, 1996) p. 44.

²¹ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive.

²² Dyhouse, Carol, *Girls Growing Up in Late Victorian and Edwardian England* (London: Routledge, 2012), p. 4.

²³ Fearon, What Is, p. 25.

²⁴ It is known that Jessie’s father, Thomas Finlayson, was a Minister in the United Presbyterian Church. [‘Thomas Finlayson’, *Census Return for Buccleuch Place, Edinburgh St Cuthberts, Midlothian, Scotland* (Public Record Office: PRO CSSCT1851, 2021) p.17.] Thomas Finlayson graduated from the University of Glasgow and received the degree of Doctor of Divinity from the University of Edinburgh. He became a minister of Rose Street Church, Edinburgh for twenty-five years until his death in 1872. [Stephen, Leslie, ed.,

busy looking after her eight children to devote any time to activity in the public sphere.²⁵

Chrystal seldom wrote about her family life or her upbringing, and this presents difficulties for a biographical study. Nonetheless, there are glimpses in the archival sources that give some idea of the gendered nature of her childhood. After completing her schooling, Chrystal was offered a scholarship at Girton College, Cambridge. However, Kay states that she was unable to take this up because her parents ‘could not spare her from home.’²⁶ This was not an unusual restriction for girls; ‘from early childhood girls were encouraged to suppress (or conceal) ambition, intellectual courage or initiative -- any desire for power or independence.’²⁷ Daughters were expected to assist with household chores and domestic work, and support mothers within the domestic sphere. The Macmillan family, comprised of seven sons and one daughter, may have harboured reformist ideals in terms of the education of their daughter, but this did not extend to completely rejecting the dominant domestic ideology which prioritised daughters’ devotion to their family.²⁸ Chrystal would have been keenly aware that her education mattered less than her brothers’, that a professional career was not an option for her, and that her duty was to the family home.

Consequently, differential gender treatment was highlighted by the experiences of both girls’ mothers. Both Elsie and Chrystal saw that gender had impacted on their lives. Elsie’s mother failed to emulate the middle-class Victorian ideal because of her pre-marriage work but, in doing so, she provided her daughter with a professional role model that was key in the creation of her later identity. In contrast, Chrystal’s mother fully emulated the ideal of

Dictionary of National Biography (Oxford: Oxford University Press, 1921), VII, p.34.] This position suggests a comfortable middle-class existence which is compatible with Chrystal’s own upbringing.

²⁵ See: Rowbotham, *Hidden From History*.

²⁶ Kay, *Miss Chrystal Macmillan 1872 – 1937*, p. 2. Citing Dorothy Cowan, 1937 Obituary, *St Leonards School Gazette* Vol XIII, no 11 November, p. 261.

²⁷ Dyhouse, *Girls Growing Up*, p. 2.

²⁸ Thomas F Macmillan, born in 1874, John M Macmillan, born in 1876, William R Macmillan, born in 1879, Cameron Macmillan, born in 1880, Norman Macmillan, born in 1883, Robert A Macmillan, born in 1884 and finally Colin H Macmillan, born in 1887.

motherhood, but her conformity to the cultural norm also directly impacted her daughter's education. This provided Chrystal with a model of what she did not want her identity to be, namely a housewife who did not have either a political or professional identity. In response to these examples, in later life, both women focused on the creation of a 'social' identity, a public professional persona presented to the world at large.²⁹

Both girls' mothers were not merely passive symbols of gender inequality in their daughters' political consciousness. Bowerman's wealthy father William died when she was only five, leaving her mother Edith to raise her alone. Edith had to navigate the financial implications of widowhood, managing her late husband's property and also negotiating his political legacy, with the experience of being a single working woman not far in her past. William had been a prominent member of the community, active in local politics as a Liberal Unionist and a member of Hastings Town Council for three years. In an obituary after his death, it was written that 'he was a man of marked individuality of thought, speech and action, in all national and local affairs.'³⁰ Elsie's political aptitude was fostered in such a familial environment, where public service and good work was emphasised and immortalised by the legacy of her father. This attitude was emphasised by Elsie herself in her memoir: 'my elderly father made his way in life through hard vicissitudes, with tough non-confimist [sic] determination, and my mother, younger and more adventurous, helped me to take full advantage of a time of great development and change in Victorian England.'³¹ From this extract, it is clear that Elsie admired her parents' attributes, and her mention of 'great development and change' is striking; although she did not elaborate on what she meant, it seems likely that she was referring to the progress made in the women's movement, probably in terms of improved educational opportunities for girls and women.

²⁹ Fearon, *What Is Identity*, p. 2.

³⁰ 'Flotsam and Jetsam', *Hastings and St Leonards Observer*, 11 May 1895, p. 6.

³¹ Bowerman, Elsie, 'Reflections Of A Square (High Wycombe)', Wycombe Abbey School Archive.

Chrystal's mother is far more difficult to trace. However, her father is much more visible in the historical record. He was vocal in his support of the importance of education, including girls' education. At the annual dinner of the Edinburgh Merchant Company in 1897, an organisation of which John was treasurer, he focused on the importance of education, and two of the institutions supported by the company were establishments for the education of women: the Ladies' College in Queen's Street and George Watson's Ladies' College.³² Later, he even visited the Ladies' College.³³ John's support of these educational institutions came during a time of change and reform within education, with feminists calling for a more comprehensive education for girls that was comparable to that of their brothers. While this educational activism indicates his progressive views, it also implies that he attached some value to his only daughter's education and suggests a political awareness of gender inequality.

He was also involved in politics, becoming vice president of the Mid-Lothian Liberal Unionist Association in 1899.³⁴ This is interesting to note considering Chrystal's later political affiliation: she eventually stood unsuccessfully as a Liberal candidate for Parliament in 1935. That could imply that she was influenced by her father and his multifaceted local activism, particularly in the realm of education. When looking at her own approach to activism, she took a similar path: she was prominent in several organisations that covered many issues. Despite this variety, Macmillan's activism had a distinctly gendered focus. Therefore, Helen Kay is right when she argues that 'there is no doubt that Chrystal Macmillan was a feminist from her youth.'³⁵

³² 'Merchant Company Dinner', *Edinburgh Evening News*, 15 December 1897, p. 2.

³³ 'Edinburgh Merchant Company Schools', *Edinburgh Evening News*, 16 December 1897, p. 3.

³⁴ 'Mid-Lothian Liberal Unionist Association', *Edinburgh Evening News*, 30 June 1899, p. 2.

³⁵ Kay, 'Chrystal Macmillan: From Edinburgh Woman to Global Citizen', p. 126.

Both the Bowerman and Macmillan families provided an environment in which girls were valued and their educational needs given care and thought. In their mothers, Elsie and Chrystal were provided with examples of how gender substantially impacted on women's lives. Their supportive fathers were both prominent locally, and they used this prominence to promote political causes they held dear. This gave both girls an awareness of the cultural constrictions of their gender and an approach to alleviating the ramifications of this inequality via political activism. They were also imbued with a solid sense of public duty, and commitment to bettering lives. This commitment was viewed through the prism of feminism. This is not to say that Elsie's and Chrystal's childhoods were essentially interchangeable. Indeed, there were key differences: Elsie was an only child raised predominantly by a single mother in southern England, while Chrystal had seven brothers, grew up in Edinburgh, and both parents survived until her adulthood. However, they both had politically astute parents whose commitment to philanthropy and improved educational opportunities helped form the foundation of what would become their professional and political identities.

Educational Pioneers and the Beginning of Political Advocacy: The Youngest Student at Wycombe Abbey and the First Women Science Graduate at the University of Edinburgh

The political and feminist socialisation within Macmillan's and Bowerman's family homes was furthered by their attendance at progressive academic schools. These schools were founded by pioneering women whose aim was to give middle-class girls a comprehensive education beyond mere accomplishments, still a counter-cultural move in Victorian Britain.³⁶ For Bowerman and Macmillan, attending these independent boarding schools highlighted the contradictions inherent in maintaining a respectable image of Victorian

³⁶ In particular, the Taunton Commission in 1864 highlighted the inadequacies in girls' education and the opening of universities to women made further education a possibility for some middle-class girls.

girlhood while also challenging educational expectations for girls. Delamont refers to this conflict as a ‘double conformity’, and this was a tension that Bowerman and Macmillan would struggle to deal with throughout their professional and political lives.³⁷ Often, the pressure to conform to societal expectations of middle-class womanhood clashed with a desire to reform the legal, cultural and political aspects of such an ideology.

The schools Macmillan and Bowerman attended, St Leonards in St Andrews, Scotland and Wycombe Abbey in Buckinghamshire, were a key part of the movement to better educate girls and women in the 19th and early 20th centuries. Both were ‘modelled self-consciously on the pattern of the boys’ public boarding school.’³⁸ In this respect, they proved instrumental in the creation of a new generation of feminists, because they were very different from the traditional means of educating middle-class girls. They were not finishing schools that aimed to give their students an ornamental education and prepare them to make a good marriage, but institutes that espoused ‘a new ideal of middle-class femininity, the ideal of the new woman who could study the same subjects as men and enter paid, professional employment.’³⁹ Despite this innovative approach, it would be an oversimplification to characterise these new schools as bastions of progressiveness. As Joyce Pedersen states, many of the pioneering teachers and headmistresses were of a conservative bent.⁴⁰ The ‘double conformity’ these middle-class women laboured under masked a wide spectrum of political affiliations.⁴¹ It also may have informed their students’ outlooks, demonstrating the expectations that reforming women had to meet. The women who staffed

³⁷ Delamont, Sara, ‘The Contradictions in Ladies Education’, in *The Nineteenth-Century Woman: Her Cultural and Physical World* (London: Routledge, 2012) p. 159.

³⁸ Howarth, Janet, ‘Public Schools, Safety-Nets and Educational Ladders: The Classification of Girls’ Secondary Schools, 1880-1914’, *Oxford Review of Education*, 11.1 (1985), 59–71 (p. 61.), quoting Burstall, Sara A., *English High Schools for Girls: Their Aims, Organisation and Management* ([n.p]: Ulan Press, 2012), p. 16.

³⁹ Purvis, *A History of Women’s Education*, p. 112.

⁴⁰ Senders Pedersen, Joyce, ‘Some Victorian Headmistresses: A Conservative Tradition of Social Reform’, *Victorian Studies*, 24.4 (1981), 463–88 (p. 463.).

⁴¹ Delamont, ‘The Contradictions in Ladies’ Education’, 159.

and ran these schools needed to be both exceptional and respectable in the eyes of society, while also implementing transformative educational change.

Louisa Lumsden, who had been one of the very first five students at Girton College when it was located in Hitchin in 1869, and one of the first three to sit the Cambridge honours examinations, was well aware of the difficulties she was to face when she was appointed St Leonards' first headmistress in 1877. She aimed 'to undertake a crusade against fashionable so-called finishing schools.'⁴² Lumsden's early experience of higher education, and her distinctive educational philosophy, were evident in St Leonards from the very outset. She saw schooling as far more than simply teaching pupils subjects; for her, 'the object of school life ... means the gradual drawing out and development of all the faculties of which the human being is capable.'⁴³ Accordingly, St Leonards offered wide-ranging and varied activities designed to aid this development. Subjects generally considered unsuitable for girls—classics, mathematics and science—were taught and a clear and ordered boarding school system was maintained. Additionally, the students often played team games 'because they were believed to instil qualities of self-control, good temper, and cooperation, and to help create a strong corporate spirit.'⁴⁴ There was an emphasis on the girls learning to be good citizens and to participate fully in societal challenges. Lumsden believed that to achieve this, girls 'should have wide interests, a sense of discipline and organisation, *esprit de corps*, a power of corporate action.'⁴⁵ Lumsden's teaching philosophy categorically rejected the theory that women's sphere and education were different from, but complementary to, men's.⁴⁶ Being exposed to such a philosophy was critical in the formation of Macmillan's

⁴² Lumsden, Louise, *Yellow Leaves: Memories of a Long Life*, (Edinburgh: William Blackwood & Sons, 1933) p. 61.

⁴³ Beale, Dorethea, Lucy H. M. Soulsby and Jane Francis Dove, *Work and Play in Girls' Schools*, (London: Longmans, Green and Co, 1898) p. 396.

⁴⁴ Roach, John, *Secondary Education in England 1870-1902: Public Activity and Private Enterprise* (London: Routledge, 2012), p. 223 – 234.

⁴⁵ Beale, *Work and Play in Girls' Schools*, p. 400.

⁴⁶ Innes Lumsden, Louisa, 'On the Higher Education of Women in Great Britain and Ireland', *Journal of Social Science*, 20 (1885), 49–60, (p. 51.).

political identity and her subsequent devotion to public service. Not only was she introduced to ideas and ideals of citizenship, but also to the importance of female-centred organisations, both ideas that were to figure prominently in her later life. Applying the ideas formed in Macmillan's childhood to Fearon's theory of identities is revealing. The importance of feminist organisations and a liberal interpretation of citizenship would become crucial components of Macmillan's later social identity, and these fundamental principles of identity were formed within her educational experiences.⁴⁷

Chrystal Macmillan entered St Leonards as a boarder in 1888 at the age of 16. Prior to this, she had been educated at a day school in Edinburgh. By the time Macmillan started at St Leonards, Lumsden had left, and Jane Frances Dove was appointed in her stead. Like her predecessor, Miss Dove was a Girton pioneer; she had previously been Assistant Mistress at Cheltenham Ladies' College. Kathleen McCrone states that 'by 1887 the school had prefects and was divided into several houses, each with its own colours, societies, and sports team.'⁴⁸ Although Macmillan was remembered as 'a tall, shy girl with a long brown pigtail and a strong bent for mathematics',⁴⁹ she excelled both academically and in extracurricular activities at the school. She was placed in Queens Terrace House from 1889-91, was head of house and the captain of her house team, and in 1891 was made head of school. Macmillan's position as captain of her house team also gave her an early experience of canvassing and gaining votes, since the position was 'elected by her own house.'⁵⁰ This allowed her to assume a role of responsibility: 'a house captain [had] the games of, on an average, thirty-six girls in her sole charge ... the training and selecting of these teams is entirely in the hands of the house captains, so it is easily seen that the post, if a coveted one,

⁴⁷ Fearon, *What Is Identity*, p. 2.

⁴⁸ McCrone, Kathleen E., 'Play Up! Play Up! And Play the Game! Sport at Late Victorian Girls' Public School', *Journal of British Studies*, 23.2 (1984), 106-34, (p. 121.).

⁴⁹ Leneman, *The Scottish Suffragette*, p. 41.

⁵⁰ Grant, Julia M., Katharine H. McCutcheon, and Ethel F. Sanders, eds., *St. Leonards School 1877-1927* (Oxford: Oxford University Press, 1927), p. 87.

is no sinecure.’⁵¹ In addition to team captain being an elected position of duty, it was also one that required organisational prowess, another element that Macmillan carried forward into her adult life. This also suggests that she was able to advocate for herself and represent the interests of others, an early indication of a developing activism.

Macmillan’s feelings towards her time at St Leonards have not been recorded; she was not particularly candid about her personal life and history in her many articles or writings, preferring to focus on the issue at hand. However, her education appeared very important to her, and her record at St Leonards indicates that she was a prodigious and talented student: she sat the Girton Entrance Examinations, the Oxford and Cambridge Higher Certificate, and was appointed School Scholar in 1890.⁵² She was awarded a scholarship in mathematics at Girton College, Cambridge, but was unable to take it up because of familial commitments.⁵³ This appears to be a sad, and all-too-common, end to her girlhood education as many young women of this time were restricted in their life choices because of family wishes. However, Macmillan’s time at St Leonards gave her a firm foundation for her continued studies at the University of Edinburgh. The ethos imbued in the school, first by Louisa Lumsden and then by Jane Frances Dove, meant that Macmillan, unlike many other middle-class girls of the time, left school with a wide and complex conception of citizenship, hard work and perseverance, all underpinned by the feminist educational pioneers who taught her.

There was a close nexus between the political socialisation of daughters and the importance attached to their education. Joan Burstyn argues that ‘the demand for this kind of education likely came from those who had risen in social position and felt the inadequacy

⁵¹ *Ibid.*, p. 87-88.

⁵² Tawse, Angela. ‘PhD Research on Chrystal Macmillan.’ Message to Laura Noakes. 10 April 2019. Email.

⁵³ Kay and Pipes, ‘Chrystal Macmillan, Scottish Campaigner for Women’s Equality’, (p. 718.).

of their own education to prepare them for their new life.’⁵⁴ This is an analysis that fits in neatly with Bowerman’s situation; she later wrote that ‘my mother declared she was completely uneducated’, due to not attending school and instead being taught by governesses.⁵⁵ Edith clearly prioritised her daughter’s schooling; even before Bowerman started at Wycombe Abbey, Edith was careful to provide her with a varied learning curriculum which included word games, teaching her daughter to sew and cook, horse-riding, and encouraging her to author and publish a magazine with a young neighbour.⁵⁶ This pedagogical focus may be, as Burstyn suggests, because of the inadequacy of Edith’s own schooling. However, it could also be attributed to the fact that both Elsie and Edith’s position in life was precarious. Bowerman was an only child, her father was deceased, and Edith was well aware that in the case of a financial downturn, work could become a necessity. Education was the way in which Elsie could become self-sufficient and, if need be, pursue a profession.

Schools such as St Leonards and Wycombe Abbey did not merely teach a prescribed curriculum designed to give girls a comprehensive education and perhaps attend university. They were also key in the development of ideological beliefs and the skills to express such beliefs. Staffed by university-educated, feminist women, schools helped students to form the foundations of their political identities as ‘teachers and schoolmates could be powerful influences on girls’ political development.’⁵⁷ This was definitely the case with Bowerman. Her admiration for her headmistress, Dame Jane Frances Dove, is clear to see in the biography she wrote of her. Such admiration was not unique: ‘relationships between the principals and mistresses of the new women's colleges and their pupils were often extremely

⁵⁴ Burstyn, *Victorian Education and the Ideal of Womanhood* p. 24-25.

⁵⁵ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive.

⁵⁶ *Ibid.*

⁵⁷ Sunderland, Helen, ‘Politics in Schoolgirl Debating Cultures in England, 1886–1914’, *The Historical Journal*, 63.4, (2019), 1–23 (p. 2.).

close.’⁵⁸ Bowerman detailed her reasons for recording Miss Dove’s life and work: ‘The writer had the privilege of spending six years under her at Wycombe Abbey, and feels that her memory must be kept green so that future generations may realise the value of the heritage she bequeathed to them.’⁵⁹ Again, the themes of preservation and nostalgia run clearly through Bowerman’s writing: she had a wish to record Miss Dove’s life, and that of Wycombe Abbey. The reason for her devotion to her headmistress was made clear further on in her biography, where she stated that ‘Jane Frances Dove was from her youth involved in one of the main developments of her day and generation, the gradual transformation of the lives and status of women which came to be known as the women’s movement.’⁶⁰ In this, she clearly linked the first women’s movement and the emergence of organised feminism with Miss Dove, and women like her, who prioritised education for girls. This also identified Miss Dove as a pioneer, a label that Bowerman later endowed herself with. The label of pioneer was important to both the women’s movement, and also Bowerman; it suggested notions of barrier-breaking and firsts, and this was a crucial theme for first-wave feminism. In this sense, her loyalty and love for the school in which she was educated was intrinsically linked to her conception of feminism, and her identity as a feminist. As P. A. Fisher notes in her tribute to Bowerman after her death, ‘Wycombe Abbey was the centre of her life.’⁶¹

Miss Dove had left St Leonards in 1896 to start Wycombe Abbey, ‘the daughter school’ of St Leonards, bringing with her the same educational philosophy that governed her past establishment.⁶² Bowerman clearly relished her time at the school, describing her school

⁵⁸ Dyhouse, *Girls Growing Up in Late Victorian and Edwardian England*, p. 70.

⁵⁹ Bowerman, Elsie, *Stands There a School: Memories of Dame Frances Dove, Founder of Wycombe Abbey School* (High Wycombe: Wycombe Abbey School, 1966), p. 9.

⁶⁰ *Ibid.*, p. 17.

⁶¹ P. A. Fisher, Elsie Bowerman, *Wycombe Abbey Gazette*, Vol 19, No 2, Nov 2nd 1973, p. 44-45.

⁶² Grant, McCutcheon, and Sanders, eds., *St. Leonards School 1877-1927*, p. 37.

life as ‘contented and progressive and I loved every minute of it.’⁶³ In her later years, she even endowed the school with the Dove-Bowerman Trust, ‘an independent body that can protect and provide for the School or the descendants of those who have belonged to it.’⁶⁴ She was also a member of the School Council, becoming its vice president. In short, Elsie Bowerman was devoted to memorialising her time at Wycombe Abbey and ensuring the school’s continued survival.

This devotion may have come from the value attached to Bowerman’s educational opportunities. As previously mentioned, her mother was educated by a series of governesses, and it is suggested by Bowerman in her memoir that Edith regretted her lack of formal education. Maybe because of this, Bowerman’s ‘mother had wider ambitions for her child’s education.’⁶⁵ Before entering Wycombe Abbey aged 11, Bowerman was educated at a local day school in Hastings and was given ‘a good grounding in natural history, mathematics, botany and natural science.’⁶⁶ On entering Wycombe, Bowerman became the youngest girl ever to attend the school. This was a crucial milestone, one that Bowerman highlights in her memoirs.⁶⁷ Bowerman implies this status was a crucial identifier for herself. It is a statement of her capabilities, and it sets her apart from her fellow students.⁶⁸ In this discussion in her memoir, Bowerman is clearly developing her social, public identity by associating herself with the label of a high-achieving student.⁶⁹

The foundations of Bowerman’s political identity can be seen even in the account of her first evening at Wycombe. She described listening to her housemistress reading the

⁶³ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, Education Chapter, p. 2.

⁶⁴ Elsie Bowerman Tribute, *Wycombe Abbey Gazette*, Vol 19, No 2, 2 November 1973, p. 45.

⁶⁵ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, Education Chapter, p. 3.

⁶⁶ *Ibid.*, p. 1-2.

⁶⁷ *Ibid.*, p. 3.

⁶⁸ Outline of Elsie Bowerman’s Life, *Wycombe Abbey Gazette*, December 1973, p. 30.

⁶⁹ Fearon, What Is Identity, p. 2.

newspaper to the gathered students and, writing in the third person, stated ‘the new girl had been politically brought up at home with the arguments of a non-conformist father and an ardently conservative mother.’⁷⁰ These newspaper readings were a nightly part of her school experience, and Bowerman characterised them as ‘crucial.’⁷¹ She particularly ‘enjoyed the political arguments following on the newspaper readings.’⁷² Helen Sunderland argues such debates ‘gave pupils an especially interactive and rounded political education...while developing valuable public speaking skills.’⁷³ Sunderland also links such extracurricular activities to ‘the efforts of suffrage organisations to instruct women in constitutional politics.’⁷⁴ Therefore, Bowerman’s participation in debates at school had a dual purpose: they furthered her political education and conception of her duties of citizenship, while also developing skills that were essential to becoming a political activist.

Both women attended universities, Bowerman at Girton College, University of Cambridge and Macmillan at the University of Edinburgh. Macmillan occupied a pioneering role, being one of the first women to enter the University of Edinburgh when it opened its doors to female students in 1892 and becoming the first woman science graduate of that institution. It appears that the male students at the University of Edinburgh welcomed the women, although they were subjects of fun and gentle ribbing in the student newspaper: ‘The present session is going to be one of terribly hard work. Girls have entered our University and they mean to carry everything before them. Two young ladies have matriculated who are said to possess brains three times the size of an ordinary Chrystal.’⁷⁵ The “Chrystal” they were referring to was actually Professor George Chrystal, who taught Macmillan mathematics throughout her BSc. However, as Chrystal Macmillan was one of

⁷⁰ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, Education Chapter, p. 7.

⁷¹ *Ibid.*

⁷² *Ibid.*, p. 10.

⁷³ Sunderland, ‘Politics in Schoolgirl Debating Culture’, (p. 2.).

⁷⁴ *Ibid.*

⁷⁵ *The Student*, University of Edinburgh, October 1892, volume VI, 2, p. 31.

the earliest women students at the University of Edinburgh, and had entered the University by this time, this was probably also a dual reference to her and a double pun on the two ‘Chrystals’. Such a reference is indicative of the novelty of women entering the university and is suggestive of the impact Macmillan and her fellow female students had on the institution. The fact that Macmillan was singled out is of further interest; it imbues her with a level of notability beyond that of an ordinary undergraduate.

This renown may have been due to Macmillan’s profile as a local feminist activist or perhaps her academic prowess. She had already passed the Preliminary Examinations in English, Mathematics, French, Dynamics and Science, which were required in order to matriculate at the University.⁷⁶ This is an impressive feat, especially given that she was one of the first women to matriculate, and it illustrates the comprehensive nature of the education received at St Leonards. Her university-focused schooling provided her with a firm foundation upon which to further her studies. This academic excellence continued during her time at University. Throughout the course of her studies she won prizes in mathematics, chemistry, astronomy and natural philosophy, and she graduated with first-class honours in April 1896. Macmillan was a model student, a role her commitment to the women’s movement required her to play.

In order to rebut arguments from those opposed to women’s education, it was essential for pioneering university students like Macmillan to not only reach the academic standards of their fellow male students, but to exceed them. The academic merit of women students, therefore, became a way to validate and justify the call for increasing gender equality and removing legal impediments for women. Accordingly, Macmillan was expected to excel academically—and she did. However, in a motif repeated throughout her life, Macmillan also struggled under the ‘double conformity’ of being a high-performing student

⁷⁶ The University of Edinburgh, First Matriculation Book 1896-97, <<https://collections.ed.ac.uk/alumni/record/75093?highlight=macmillan+Crystal>>

while also building up her reputation as a feminist activist.⁷⁷ This was a fraught balance between two identities: as a university student Macmillan needed to conform to the standards of conventional Victorian femininity because she was a representative of further education for women, yet at the same time she was transgressing these norms by her mere status as a student; even more so given her choice of science, technology, engineering and mathematics (STEM) subjects, which required conformity to male norms.

Much of Macmillan's extracurricular activism had a gendered component; she was the second woman member to join the Edinburgh Mathematical Society in 1897, and participated in the Women's Debating Society, eventually becoming its vice president.⁷⁸ As Sara Wiggins argues, university debating clubs aided in the development of political identities, giving women the skills and experience necessary for being successful activists.⁷⁹ The Edinburgh Society had a varied and eclectic debate programme that showed 'its concern and awareness of women's issues of the day, regardless of the low membership figures.'⁸⁰ This extended to the suffrage question; the society raised the motion that 'women should have the franchise.'⁸¹ Macmillan was also a member of the Women's Representative Committee, set up in 1895. She attended the first meeting, and Helen Kay notes that 'records show that she was frequently elected to chair the meetings and was an enthusiastic participant in the female lobbying of the Scottish University authorities to permit women students to have equal access with male students to scholarships and bursaries.'⁸² This enthusiastic and multifaceted approach to extracurricular activities is reflective of

⁷⁷ Delamont, 'The Contradictions in Ladies Education', p. 159.

⁷⁸ Hartveit, Marit. 2011. 'The Lesser Names – The Teachers of the Edinburgh Mathematical Society and Other Aspects of Scottish Mathematics, 1867-1946' (unpublished PhD Thesis, University of St. Andrews), p. 137.

⁷⁹ Wiggins, Sara, 'Gendered Spaces and Political Identity: Debating Societies in English Women's Colleges, 1890–1914', *Women's History Review*, 18.5, 737–52 (p. 738.).

⁸⁰ Hamilton, Shelia. 1987. 'Women and the Scottish Universities circa 1869-1939: A Social History' (unpublished PhD Thesis, University of Edinburgh), p. 358.

⁸¹ *Ibid.*

⁸² Kay, *Miss Chrystal Macmillan 1872 – 1937*, p. 3.

Macmillan's commitment to activism throughout her life. She engaged with multiple organisations in order to diversify her activism; but gender remained a consistent theme.

Although these achievements are impressive, it is important to note that not only was she pioneering by being a female student at a time when women university students in Scotland were a very new phenomenon, but she was also studying subjects considered distinctly masculine. As Shelia Hamilton notes, 'the lack of women science students reflected very much the attitudes towards the kind of academic subjects thought to be most suitable for women'⁸³ As a result, Macmillan was a pioneer twice over, holding her own as a university student, feminist activist and woman in science, technology, engineering and mathematics, at a time when it was not popular or accepted to occupy any of these roles, let alone all three combined.

Macmillan's activism extended beyond the University. She had been involved in the suffrage campaign in Scotland since 1900, working under Dame Sarah Mair, a prominent Scottish campaigner for women's education and right to vote, and the founder of the Ladies' Edinburgh Debating Society. Macmillan was also active in the Scottish Federation of the National Union of Women Workers, a group of philanthropic middle-class women who were involved in improving conditions for both working-class working women and middle-class volunteer workers. By 1908, Macmillan was already prominent in suffrage and progressive circles in Edinburgh, and was now free of the responsibilities of being an only daughter looking after minor siblings, since all of her brothers had reached adulthood. In contrast, by this time Bowerman was just about to embark on her university studies. Bowerman's experience at university will be more fully explored in the next chapter.

⁸³ Hamilton, *Women and the Scottish Universities*, p. 241.

Conclusion

Both Bowerman and Macmillan were moulded by their childhoods. They grew up as members of politically aware families and were aware of the concept of public duty and the importance of local activism from a young age. In addition to this, a comprehensive education was prioritised for both girls. The opportunity to be educated in progressive schools, founded and staffed by feminist women, happened as a direct result of these familial environments and was in itself a trailblazing step in terms of girls' education. These schools also furthered the political education of both girls, providing them with opportunities to discuss the social issues of the day and to be in the company of fellow students and staff members already experienced in the women's movement. Although it was not yet the norm for middle-class girls to gain a university education, both Macmillan and Bowerman did. This may be due in part to the education-focused culture that was developed within both Wycombe Abbey and St Leonards; it is clear that the pinnacle of achievement in both schools was to go on to university. Indeed, Janet Howarth noted that in the years 1891-3, Wycombe Abbey had a total of 12 former students attending Oxbridge colleges, and St Leonards had 11.⁸⁴ The connection between academic girls' schools, a university education, and later political activism is clear. However, at the root of this interconnectivity is the commitment to women-centred reforms that were prevalent in both women's childhoods. Consequently, feminism was a crucial aspect of their upbringings and helped to shape their later political activism and their commitment to pursuing professional careers. In turn, Macmillan and Bowerman's education helped to situate them as women who were capable of having political and professional identities. Their experience of feminist-focused education was hugely important to the formulation of their future personas as it provided both women with a gateway into activism. By examining their upbringings in detail, this chapter has explored the foundations of the creation of their identities, both professional and political. In doing

⁸⁴ Howarth, *Public Schools, Safety-Nets and Educational Ladders*, (p. 70.).

so, it places Bowerman and Macmillan's roles in the women's enfranchisement campaign in their proper historical context. These roles will be investigated in the following chapter.

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Chapter Two: Suffragette and Suffragist: Contrasting Approaches to Feminist

Activism

This chapter will interrogate Macmillan and Bowerman's roles within the suffrage campaign, tracing the roots of both women's political activism and the initial construction of their political personas. It will do so through the examination of Macmillan's appearance in the House of Lords, where in 1908 she argued that women graduates of Scottish universities already had the vote, and Bowerman's grassroots activism while she was a student at Girton College, Cambridge. Exploring these key developments in both women's political apprenticeships will not only reveal the different approaches they took in pursuit of their common goal of women's enfranchisement, but also show the emergence of identities that were tentatively professional in nature.

The most prominent issue for the women's movement at the turn of the century was the campaign for women's suffrage. However, feminists were split in their approaches to getting the vote. The Women's Social and Political Union (WSPU) favoured militant methods and believed in the maxim 'deeds, not words'. In contrast, the National Union of Women's Suffrage Societies (NUWSS) suffragists pursued a more conciliatory non-militant approach. By 1909, both the NUWSS and the WSPU were firmly established on a national scale. The suffragist NUWSS had a complex hierarchal structure that allowed for branch growth throughout the country: by 1914, the organisation had over 500 branches and over 100,000 members.¹ The suffragists held meetings, wrote letters to politicians and went on peaceful marches.² The WSPU, although a newer and numerically smaller operation, commanded far more media attention, especially as its militancy intensified in 1909.³ Its

¹ Robinson, *Hearts and Minds*, p. 47.

² *Ibid.*

³ Mayhall, Laura E. Nym., 'Defining Militancy: Radical Protest, the Constitutional Idiom, and Women's Suffrage in Britain, 1908–1909', *The Journal of British Studies*, 39.3 (2000), 340–71, (p. 371.).

suffragettes threw stones through windows, went on hunger strike in prison, and were forcibly fed by prison doctors.⁴ Controlled in an autocratic manner by Emmeline and Christabel Pankhurst and, until 1912, Fred and Emmeline Pethick-Lawrence, the WSPU offered women a change from conventional methods of political activism.

Although traditional histories⁵ of the movement tend to present an either/or situation—an activist was either a law-abiding suffragist or a militant suffragette—more recent scholarship has presented a far more complex and multi-layered picture of suffragism in the UK at this time.⁶ This has included studies of lesser-known organisations, an examination of the interconnectivity between organisations, a move away from London-centric analyses, and the placing of the suffrage campaign within the wider movement of first-wave feminism.⁷ Bowerman and Macmillan were representative of this complexity: both were heavily involved in suffrage, although in very different ways.

By 1909, Macmillan was already an NUWSS executive committee member and was well-known in suffrage circles for her attempt, as an Edinburgh University graduate, to vote for the MP who represented the University seat. During this time, suffrage activism was Macmillan's main focus: she travelled widely in an attempt to further the campaign and her workload was heavy. In contrast to Macmillan's established suffrage career, Bowerman was in the early stages of her activism. She was 19 years younger than Macmillan and still experimenting as to the best way to integrate her suffrage beliefs into her everyday life. As

⁴ Rosen, *Rise Up, Women*, p. 118 - 132.

⁵ See: Pankhurst, E Sylvia, *The Suffragette Movement - An Intimate Account Of Persons And Ideals* ([n.p]: Wharton Press, 2010) and Strachey, 'The Cause' for examples of this tradition.

⁶ Leah Leneman, 'A Truly National Movement: The view from Outside London', in *The Women's Suffrage Movement: New Feminist Perspectives*, ed. by Joannou, Maroula & June Purvis (Manchester: Manchester University Press, 2009), p. 43.

⁷ For just a few examples of recent scholarship see: Mukherjee, Sumita, *Indian Suffragettes: Female Identifies and Transnational Networks*, (Oxford: Oxford University Press, 2018) and Paxton, Naomi, *Stage rights!: The Actresses' Franchise League, activism and politics 1908-58*, (Oxford: Oxford University Press, 2018).

a consequence, Bowerman's activism was markedly more informal than Macmillan's at this stage.

Neither Macmillan's nor Bowerman's activism remained static during the run-up to the war, as the suffrage organisations to which they belonged adjusted their tactics in accordance with the changing political landscape. As a result, both evolved their methods and approaches to activism in the years 1906 to 1914. Macmillan firmly implanted herself within a transnational network of feminists, regularly working with women of different nationalities in an attempt further a more international conception of feminism. She spoke out about a wide range of legal injustices faced by women, critiquing Bills and highlighting misogynistic case law. In this sense, she capitalised on her legal fame, and in doing so became, in suffrage circles, a renowned law expert even prior to qualifying as a barrister.

Bowerman balanced her locally focused activism with her education at Girton College, Cambridge and found that strategically it was more effective for her to participate in casual or informal activism while she continued her studies, because of the strict codes of conduct and unwritten expectations women students were expected to follow. It was only after leaving Cambridge that she undertook WSPU activities on a more formal basis, which led to her role as a district organiser. Despite being a committed member of an organisation that espoused militancy, it does not appear that Bowerman ever took part in militant actions herself, although, as a WSPU member it is arguable that she was militant in her beliefs. Instead, Bowerman devoted herself to activism that did not lead to her being arrested. Macmillan and Bowerman had very different activist profiles during this time, but both committed themselves to the campaign for women's suffrage, and in doing so they created a firm foundation on which their political activism rested for the remainder of their lives.

The Beginning of Macmillan's Feminist Advocacy: the Scottish University Graduate Case

Macmillan's association with the University of Edinburgh did not end with her MA graduation. In November 1908, she was involved in what Leah Leneman describes as 'the

most important suffrage event of the period.’⁸ Intriguingly, it combined Macmillan’s suffrage activism with what would become her later career: the law. Indeed, it was this event that cemented Macmillan’s reputation in and outside suffrage circles as a respected legal expert and commentator. The case of *Nairn v University of St Andrews*⁹ was heard by the House of Lords in November 1908, and although legally it was a ‘complex appeal’ the facts of the case are straightforward.¹⁰

In 1906, the election of the Edinburgh and St. Andrews universities parliamentary seat differed from previous elections. Firstly, the seat was contested. The Conservative Party had held it uncontested since the general election of 1886, and Sir John Batty Tuke had been the incumbent since 1900.¹¹ In 1906, however, he was opposed by John St. Loe Strachey, a Free Trader. Secondly, this marked the first contested election of the university constituency since women were allowed to matriculate and graduate from the Scottish Universities of Edinburgh, Aberdeen and St. Andrews, a right that had been given to them in 1892. Under s.27 of the Representation of the People (Scotland) Act 1868, members of the universities and ‘also every Person whose Name is for the Time being on the Register’ were entitled to vote in an election for the Universities’ MP. Women graduates of the three universities were on these electoral registers, and in the 1906 election, some women graduates asked for voting papers. The registrar refused them, saying no women were allowed to vote in the constituency, and Sir John Batty Tuke was returned as the Universities’ MP. Five women graduates, Margaret Nairn, Frances Simson, Francis Melville, Elsie Inglis and Chrystal Macmillan, brought a case against the registrar’s decision at the Court of Session at Edinburgh in July 1906, before appealing in November 1907. However, in both instances,

⁸ Leneman, *A Guid Cause*, p. 69.

⁹ [1909] AC 147.

¹⁰ Sachs and Wilson, *Sexism and the Law*, p. 29.

¹¹ Craig, FWS, *British Parliamentary Election Results: 1885-1918*. (London: Macmillan Press, 1974), p. 542.

the Court decided against them. Therefore, the women appealed their case to the House of Lords judicial committee.

Preparations for the House of Lords appeal were started far in advance. Requests for funds and donations for expenses were printed in various suffrage periodicals at semi-regular intervals.¹² The five women formed the ‘Committee of Women Graduates of the Scottish Universities (Parliamentary Franchise)’ in order to better coordinate their campaign, with Macmillan acting as the honorary secretary and treasurer. The formation of a committee implies a degree of organisational sophistication, and this in turn suggests a sense of professionalism within Macmillan’s activism. Such a strategy bears similarities with those utilised by the women’s suffrage campaign, a movement that Chrystal Macmillan, as an active suffrage supporter, was well aware of. This indicates that the women sensed the potential significance of such an appeal if successful; the accidental enfranchisement of women Scottish university graduates could pave the way for granting the vote on a broader basis. Such a goal was intricately connected with feminism at large; it provided women with a platform to showcase the results of their education, demonstrate their political persuasion skills and argue for enfranchisement on a national stage.

However, cases with similar legal arguments had been heard in England before. In *Chorlton v Lings*¹³ it was held that ‘the common law rendered women incapable of voting.’¹⁴ What distinguished the Scottish Women Graduates’ from this earlier case strategically was that two of the appellants planned to plead their case in person, effectively acting as their own legal advocates and rebutting the arguments about women’s inability to be public actors. Chrystal Macmillan and Frances Simson were to address the Law Lords. In doing this they were overtly challenging the cultural and political expectations of their sex, while

¹² For example: ‘Notes’, *Women’s Franchise*, No. 31. 30 January 1908, p. 1.; ‘Notes’, *Women’s Franchise*, Vol II, No. 26. 24 December 1908, p. 1.; ‘The Scottish Graduates Action’, *Votes for Women*, 2 April 1908, p. 9.

¹³ (1868) L.R. 4 C.P. 374.

¹⁴ Sachs and Wilson, *Sexism and the Law*, p. 24.

simultaneously traversing the complete prohibition of women lawyers. This created for themselves both a political identity, through protesting against a specific gender inequality and demanding legal change to rectify that inequality, and a professional identity, because they conducted themselves as if they were professional advocates. Both these identities were public-facing, or social, as Fearon argues.¹⁵ The need to balance the radical character of their political activism with conforming to traditional, male-defined, professional roles highlights again the ‘double conformity’ women like Macmillan laboured under: to legitimise their radical political activism, they needed to conform in some way to the status quo in terms of both gender and profession norms.¹⁶ However, by the mere fact of their gender, such attempts at conformity effectively rendered their activism even more radical and their attempt at the creation of a complementary political identity out of place by the standards of the day.

Therefore, it is impossible to overstate the significance of such an action in 1906: legally untrained women, who could not vote or work as lawyers, appeared in front of the most powerful judges in the country. Macmillan was at the forefront of this campaign; not only was she to speak in the House of Lords, but she pursued the case against the advice of legal counsel after studying the relevant statutes and case law herself, coming to the conclusion that their arguments did have some merit.¹⁷ This shows confidence in her own legal decision-making. She also saw an additional benefit to pursuing legal action: ‘the political effect.’¹⁸ This was a multifaceted attack that would bring publicity to women’s suffrage. It allowed Macmillan to demonstrate her legal expertise and advocacy skills, to critique the common law’s blatant and continued stance against women voters, and displayed the accomplishments and achievements of five highly-educated, middle-class women. At a

¹⁵ Fearon, *What Is Identity*, p. 2.

¹⁶ Delamont, ‘The Contradictions in Ladies Education’, p. 159.

¹⁷ Letter from Chrystal Macmillan to Millicent Fawcett, 14 February 1906, Manchester City Library Archive, M50/3/1/38.

¹⁸ *Ibid.*

time when the WSPU were beginning to intensify their militancy, leading to criticisms in the media and by MPs alike, this was an opportunity for the suffragists to exemplify what the ideal suffrage-supporting woman was like.

This again shows the tension inherent in being a woman political activist balancing suffrage ideals against cultural expectations of womanhood. In this instance, Macmillan had to abide by strict expectations of conduct in order to counter the effects of confusion between suffragists and suffragettes. Indeed, such a tension was evident to those in the Houses of Parliament; Leah Leneman notes that ‘there had been fears that the large contingent of suffragettes in the court might have created a scene.’¹⁹ This is demonstrative of the cultural perception that the suffragists were fighting against. In order to legitimise their cause in the eyes of the general public, most of whom were ignorant of the intricacies of difference between the suffragists and the suffragettes, the NUWSS needed to reclaim the identity of women suffrage supporters. Activists like Macmillan were key in the countering of suffragette imagery, and in the creation of the respectable, educated, eloquent activist.

In assuming such a prominent role, both in the decision to bring the case to the House of Lords and in presenting it to their Lordships, Macmillan displayed confidence in herself not only as a suffrage campaigner, but as a legal analyst. The request for Macmillan and Simson to appear in person in front of the Lords had been made in advance; however, the two women only received word that their appearance was ‘almost certain’ on 6 November 1908. Macmillan immediately telegrammed Simson to inform her of this, and to tell her to come to London the next day so they could discuss the case, as there was a possibility that only one of the women would be allowed to speak.²⁰

¹⁹ Leneman, Leah, ‘When Women Were Not “Persons”’: The Scottish Women Graduates Case, 1906-08’, *Juridical Review*, (1991), 109–18, (p. 112.).

²⁰ Telegram from Chrystal Macmillan to Frances Simson, 6 November 1908, University of Edinburgh Library – Special Collections.

This strategy of using case law to push for the indirect and unintentional enfranchisement of women, and having prominent suffrage activists argue such a case, generated a substantial amount of media attention both in suffrage newspapers and in national and local outlets. In what became a typical nickname for women who appeared to have legal aspirations, the women graduates were often referred to as ‘Modern Portias’²¹ and ‘Scottish Portias’ in the press.²² Even prior to the beginning of the appeal, one female correspondent from *The Guardian* wrote asking for portraits of Simson and Macmillan.²³ Much of the fascination revolved around the women pleaders speaking in such a male-dominated environment; ‘I suppose (says a London correspondent) no person living has heard the voice of any woman in the House of Lords except the voice of Queen Victoria, until Miss Chrystal Macmillan.’²⁴ The highlighting of the atypical nature of this event again demonstrates how exceptional Macmillan’s actions were. Yet again, she was a feminist pioneer, breaking down barriers in order to advance the cause. Many newspapers reported that Macmillan was the first woman to address their Lordships,²⁵ but this actually was not true, as Macmillan mentioned in her opening statement, since a woman named Annabella Shedden had addressed the House of Lords on behalf of her father in 1861. Therefore, although she was not the ‘first’, the labelling of her as such by sections of the press again contributed to her political social identity as a pioneer, and her prominence within the national women’s movement. As Fearon states, crucial to the social identity of an individual is the idea that it is public-facing.²⁶ For Macmillan, being associated with the term pioneer was important for the construction of both her political activist identity, and later on her legal identity.

²¹ ‘Modern Portias’, *Daily Telegraph and Courier*, 11 December 1908, p. 5.

²² ‘Scottish Portias’, *Nottingham Evening Post*, 28 October 1908, p. 3.

²³ Letter from Agnes M. Hitchcock to Francis Simson, 5 November 1908, University of Edinburgh Library – Special Collections.

²⁴ ‘Home News’, *Inverness Courier*, 13 November 1908, p. 7.

²⁵ ‘Political Items’, *The Rossshire Journal*, November 13 1908, p. 8.

²⁶ Fearon, J. *What Is Identity*, p. 2.

The hearing of the case in the House of Lords began on 10 November 1908. Macmillan and Simson pleaded in person and were assisted by an advocate, Mr Mair. Although he did not speak at the House of Lords hearing, he probably helped in their preparations.²⁷ Their argument centred around the fact that the university franchise was conferred on those who had achieved educational merit, and that having graduated and been entered on the register of members of the General Council, and participated fully in Council business (including the election of the Chancellor and Assessors of the University Court) as members, they had met the requirements for the franchise.²⁸ This was a legal argument that, while technically focused on the precise wording of relevant provisions, was actually based on assigning the franchise on merit, albeit a very narrow definition of merit, rather than restricting it on the basis of gender and wealth. This was a rather radical reconceptualisation of suffrage. Macmillan's mobilisation of suffrage based upon a problematic definition of merit has overtones of professionalism and also class. Only those with economic and social privilege could attend university and attain the educational qualifications required for this merit-based suffrage. Her argument is based upon ideas of reasonable progress of political thinking and represents an important steppingstone in the switch to a more democratic system of enfranchisement.²⁹

There were numerous observers as Macmillan and Simson prepared themselves to speak: 'much interest was manifested in the appeal by Members of Parliament, who gathered in the small gangway to which the public alone are admitted.'³⁰ Macmillan was able to address the Court for three-quarters of an hour before it was adjourned.³¹ The *Greenock*

²⁷ See: Leneman, Leah, 'When Women Were Not "Persons": The Scottish Women Graduates Case, 1906-08', *Juridical Review*, (1991), p. 109-18.

²⁸ Scottish Women Graduates and the Franchise, *The Scotsman*, 11 November 1908, p. 12.

²⁹ See Caraway, Teri L., 'Inclusion and Democratization: Class, Gender, Race, and the Extension of Suffrage', *Comparative Politics*, 34.4 (2004), 443-60 for a further exploration of this idea.

³⁰ 'Women Graduates and the Vote', *Morning Post*, 13 November 1908, p. 11.

³¹ 'General News', *The Greenock Telegraph and Clyde Shipping Gazette*, 11 November 1908, p. 3.

Telegraph described her as ‘somewhat nervous at the start.’³² In reports of the case, the newspapers focused on her attire, stating that she was dressed ‘in a brown dress, wearing a hat of crushed strawberry colour,’³³ and the *Morning Post* noted somewhat incredulously that after the midday adjournment she ‘came into Court without her hat.’³⁴ The focus on her appearance and clothing, rather than critical engagement with her arguments, is suggestive of the position of women and the criteria by which they were judged. It also foreshadows similar criticism of women barristers’ attire. Despite Macmillan’s academic achievements and activist prominence, many in the mainstream press still considered her ornamental. The notion of decoration attached to women public figures was not uncommon at this time; it reflected and bolstered cultural expectations of femininity, and also had clear elements of condescension that were designed to undermine women.

However, Pipes and Kay argue convincingly that the press were impressed by her legal skills and arguments.³⁵ Macmillan asked for the judgment to be that the women graduates were entitled to voting papers, and that their votes be allowed to stand.³⁶ Her address to their Lordships was reprinted in detail in the press:

“I contend,” said Miss Macmillan, “that we have only to prove four things in order to demonstrate our right. They are—That we are persons; that we are on the register; that we are of full age; that we are not subject to any legal incapacity.”³⁷

Macmillan confidently detailed the grounds for her arguments, demonstrating her legal knowledge and her persuasive advocacy skills. Reaction in newspapers and by members of

³² *Ibid.*

³³ ‘Scottish Women Graduates and the Franchise’, *The Scotsman*, 11 November 1908, p. 12.

³⁴ ‘Women Graduates and the Vote’, *Morning Post*, 13 November 1908, p. 11.

³⁵ Kay and Pipes, ‘Chrystal Macmillan, Scottish Campaigner for Women’s Equality’, p. 719.

³⁶ ‘Scottish Women Graduates and the Franchise’, *The Scotsman*, 11 November 1908, p. 12.

³⁷ ‘Women Graduates and the Vote’, *Morning Post*, 13 November 1908, p. 11.

the public in the wake of the women's appeal was widespread, and not just confined to the more specialised feminist press. In a letter to the editor of *The Arbroath Herald*, a reader stated that Macmillan 'pled like a trained lawyer before the Bar of the House of Lords.'³⁸ It is important to not understate the impact of this widespread media attention; it not only brought the issue of women's suffrage to the forefront of national consciousness but also demonstrated the capabilities of educated women to perform roles long thought to be a male preserve. Much of the media comment on the case noted Macmillan's skillful advocacy and legal expertise. This was the image of suffrage activists that the NUWSS wanted to project: intelligent women who utilised their education and excelled in a male-defined arena. In a sense, this was an attempt by the NUWSS to reclaim the narrative dominated by the WSPU and the suffragettes.

Despite this, the shadow of the suffragettes' more militant activism remained attached to the case. The London Letter of the *Aberdeen Press and Journal* stated that 'Miss Macmillan, the lady who conducted the hearing before the Lord Chancellor and his colleagues, is of quiet and refined manner, not at all like the representatives of the "shrieking sisterhood" who have caused so much trouble recently.'³⁹ This is suggestive of the tolerance for less-transgressive forms of gender-subverting behaviour. The WSPU themselves were also keen to link themselves to such a successful piece of activism, declaring in *Votes for Women* that it was a case 'of exceptional interest, not only for its bearing on the whole question of women's enfranchisement, but from the fact that the women pleaded their case in person.'⁴⁰ Again, highlighted in this quote is the exceptional nature of the *Nairn* case, and the multiplicity of meanings attached to it by contemporary observers.

³⁸ 'Votes for University Lady Graduates', *The Arbroath Herald*, 20 November 1908, p. 2.

³⁹ 'Our London Letter', *Aberdeen Press and Journal*, 11 November 1908, p. 5.

⁴⁰ 'The Case of the Scottish Graduates', *Votes for Women*, 19 November 1908, p. 124.

Personal letters of support were also sent to the women graduates: E. J. Haldane wrote to Frances Simson that ‘whatever the result this will do great things for the cause.’⁴¹ Margaret Nairn, one of the other appellants, wrote to Simson stating ‘Your words and Miss MacMillan’s will go down in history!’⁴² This idea of history-making is a repeated motif in both Bowerman’s and Macmillan’s life, and adds to their status as feminist pioneers, rounding out their social identities. This element was also integral to their personal identities, and the conception of themselves.⁴³

There were also instances of outright sexism and patronising analysis of Macmillan’s legal arguments in newspapers. Although couched in compliments, the *Inverness Courier*’s coverage of her speech is indicative of one concern of those who feared women’s entry to the legal profession: that they would use their femininity to manipulate the law. It stated that ‘her clear, soft voice, with a Scottish accent, sounded agreeably in the gilded chamber, and no doubt it was more pleasant for the learned Lords to look at her than at the grim, or at any rate grave, barristers.’⁴⁴ The highlighting of Macmillan’s voice in this article is indicative of the contrast between how men’s and women’s public speaking was interpreted: gravity and a booming resonance were explicitly coded as masculine, while a soft tone and decorum were associated with femininity. These cultural conventions were directly linked to existing professional expectations; a gravitas-filled and sonorous voice embodied notions of neutrality and reason—important elements within law. In contrast, higher-pitched and softly-spoken verbal expressions were associated with emotions and refinement—traditionally

⁴¹ Letter from E. J. Haldane to Frances Simson, 13 November 1908, University of Edinburgh Library – Special Collections.

⁴² Letter from Margaret Nairn to Frances Simson, 17 November 1908, University of Edinburgh Library – Special Collections.

⁴³ Fearon, *What Is Identity*, p. 2.

⁴⁴ ‘Home News’, *Inverness Courier*, 13 November 1908, p. 7.

linked to womanhood.⁴⁵ Macmillan had to work against such associations in both her political and professional work throughout her life.

The other method used by newspaper journalists to undermine Macmillan was to overtly infantilise her, and women in general: ‘with the childlike petulance which is excused in a pretty woman Miss Chrystal Macmillan B.Sc. still insists that “person” includes women.’⁴⁶ While these extracts are not representative of the overall press coverage of the Scottish Women Graduates’ Case, they do demonstrate deeply ingrained sexism and a fear of women speaking on a national stage or giving opinions on an issue of national importance. Such an instance of patronising sexism provides a crucial link with the attitude later faced by early women barristers: many were critiqued for their voice and appearance. This form of discriminatory comment continued (and arguably, continues) within the legal profession for decades; Helena Kennedy detailed numerous instances of this occurring during her own career in *Eve was Framed*.⁴⁷

In delivering their judgment on 10 December 1908, the Law Lords unanimously dismissed the women graduates’ appeal. The Lord Chancellor, Lord Loreburn, stated that the ‘appeal had been argued temperately with the evident knowledge that your Lordships have to decide what the law in fact is, and nothing beyond that simple question.’⁴⁸ Despite this acknowledgement of the quality of Macmillan’s argument, he dismissed their appeal on two grounds: firstly, that the evidence presented of women’s ancient right of voting was scanty and unreliable, and secondly, that although on the face of it the word ‘persons’ included women, women were shut out by the exception of ‘legal incapacity’ mentioned in s.27 of the Representation of the People (Scotland) Act 1868. He justified this decision by

⁴⁵ See: Klostad, C. A., R.C. Anderson, and S. Peters, ‘Sounds like a Winner: Voice Pitch Influences Perception of Leadership Capacity in Both Men and Women’, *Proceedings of the Royal Society B: Biological Sciences*, 279, 2698–2704.

⁴⁶ ‘What is a person?’, *The Nottingham Evening Post*, 11 December 1908, p. 4.

⁴⁷ Kennedy, Helena, *Eve Was Framed: Women and British Justice* (London: Vintage, 2005).

⁴⁸ *Nairn and Others v St Andrews and Edinburgh Universities’ University Courts & Others* 1908 S.C. 113. *The Scottish Law Reporter*, Vol XLVI, Nov. 17, 1908., p. 133.

warning that a Court indirectly conferring the franchise based on a definition of a single word would be making a ‘dangerous assumption’ on the part of the original piece of legislation.⁴⁹ In doing this, the Court was able to circumnavigate the gendered aspect of *Nairn*, instead relying on past precedent to nullify the arguments presented. This was not a new strategy for the judiciary: it had been well established in earlier ‘persons’ cases. It allowed judges to appropriate the institutionalised sexism of past legislation and to maintain such institutionalised gender discrimination into the present, while superficially adhering to tenets of liberalism.

Although liberal ideology was closely bound up with the women’s movement, in no small part due to John Stuart Mill’s influential tract *The Subjection of Women*, it could also be utilised to reaffirm the patriarchal legal domination of British society.⁵⁰ As Ben Griffin demonstrates in regard to the increased legal rights awarded to women in the 19th century, there was an alternative strand of liberalism not predicated on a feminist critique of the law, but on an attempt to distinguish between the rich and the poor.⁵¹ Reform of the law only went so far—where rich men felt threatened by legal changes, they were keen to emphasise that the target of the changes was the poor.⁵² In the ‘persons’ cases, such an alternative liberalism was reconstructed to attempt to uphold legal precedent, rather than addressing the core issue of institutionalised legal sexism.

However, just because the text of the judgment was explicitly separated from gendered inequality, and instead purported to rely on the intent of previous legislators, this does not mean that the judges involved necessarily disassociated their own personal views from the case on which they ruled. In January 1918, when the House of Lords was debating

⁴⁹ *Ibid.*

⁵⁰ Evans, Richard J., *The Feminists: Women’s Emancipation Movements in Europe, America and Australasia 1840-1920* (New York: Routledge, 2013), p. 18.

⁵¹ Griffin, Ben, ‘Class, Gender and Liberalism in Parliament, 1868-1882: The Case of the Married Women’s Property Acts’, *The Historical Journal*, 46.1 (2003), 59–87.

⁵² *Ibid.*, p. 84.

the Bill that would become the Representation of the People Act 1918, Lord Loreburn moved an amendment to delete the sections conferring the vote on women, an amendment that was defeated.⁵³ It could be that Loreburn was a committed anti-suffragist when he delivered the *Nairn* judgment 12 years earlier. It seems likely that Loreburn's political views on women's suffrage may have had an impact on his judgment of the arguments of this case. This could then have nullified the supposed separation from sex inequality.⁵⁴ Lord Ashbourne's interpretation of the law was more circumspect; he argued that under the original intention of the drafters of the legislation, the word "persons" did not include women, and therefore they did not qualify to vote under s.27.⁵⁵ The foundation of their Lordships' arguments was that Parliament could not have intended to make such a fundamental constitutional change by conferring the franchise on women in such a narrow format, since only Scottish universities' women graduates would benefit.

Macmillan gave her initial response to the judgment to a reporter, stating, 'we live to fight another day.'⁵⁶ A more detailed reaction to the final judgment of the case was given in *The Saturday Review* by Edith S. Hooper, writing in response to a letter to the editor in the previous edition of the paper. Hooper, who wrote from the 'Ladies' University Club', and identified herself as a graduate 'whose voting rights were in question,' stated that the judgment of the Lord Chancellor was 'based on the refusal to admit that the plain and literal interpretation of the Act ... as worded could override the customary disability of women to

⁵³House of Lords, *House of Lords Debate* (9 January 1918, vol 27 cc411-62) <<https://api.parliament.uk/historic-hansard/lords/1918/jan/09/representation-of-the-people-bill>> (accessed 6 January 2021).

⁵⁴ There is an extensive range of literature which explores law's inseparability from politics. See: Feldman, David, ed., *Law in Politics, Politics in Law* (Hart Publishing, 2014); Tamanaha, Brian Z., *On the Rule of Law: History, Politics, Theory* (Cambridge University Press, 2004); Jacob, Herbert, Erhard Blankenburg, Herbert M. Kritzer, Doris Marie Provine, and Joseph Sanders, *Courts, Law, and Politics in Comparative Perspective* (Yale University Press, 1996) and Wenzelburger, Georg, *The Partisan Politics of Law and Order* (Oxford: Oxford University Press, 2020).

⁵⁵ *Nairn and Others v St Andrews and Edinburgh Universities' University Courts & Others* 1908 S.C. 113. *The Scottish Law Reporter*, Vol XLVI, Nov. 17, 1908., p. 134.

⁵⁶ 'Women Graduates and Votes', *The Globe*, 11 December 1908, p. 4.

vote.’⁵⁷ This emphasised that the main thrust of Macmillan’s argument was to ask for a literal approach to the interpretation of the legislation in question, one that gave effect to the plain meaning of the words. It is also interesting to note that this letter was written in 1912, over three years after the conclusion of the case. This is indicative of the impact that the Scottish Women’s Graduates Case had on the suffrage campaign at large: it was still being discussed in the media long after the case concluded. Although the women lost their appeal, not only had the case given them, and by extension the suffrage campaign, a great deal of publicity, but as Sheila Hamilton argues:

it had also given a stimulus to women within the Universities ... The foundation of women’s suffrage societies within the universities occurred after the beginning of the women graduates case to the Court of Sessions and some credit must be given to this for stimulating the thoughts of women students towards the suffrage question.⁵⁸

The impact of this case can also be seen nearly a hundred years later. In a lecture delivered at the Society of Legal Scholars’ Annual Conference in 2004, Baroness Hale examined the complex and often contradictory relationship between the House of Lords and women’s rights.⁵⁹ In doing so, she referred to *Nairn v University of St Andrews*.⁶⁰ Baroness Hale’s connection of the Scottish Women Graduates case to the women’s movement confirms the close correlation between them; and suggests the significance ascribed to using the law to further the women’s movement, even at a time when women remained disenfranchised and unable to practise the law.

⁵⁷ Hooper, Edith S., ‘Woman Suffrage in the House of Lords’, *The Saturday Review*, 10 February 1912, p. 176.

⁵⁸ Hamilton, ‘*Women and the Scottish*’, p. 367.

⁵⁹ Hale, Brenda, ‘House of Lords and Women’s Rights or Am I Really a Law Lord’, *Legal Studies*, 25.1 (2005), 72–84.

⁶⁰ [1909] AC 147.

The reason why *Nairn* attracted such attention is twofold. Firstly, it occurred at the peak of the suffrage movement and was the first of such suffrage cases in many years,⁶¹ and secondly, two of the women appellants argued their case in front of the House of Lords: a practical demonstration of women's capabilities. If women could present to the Law Lords in the highest court of the land, then surely they were qualified to vote. As Leneman argues, 'they were intelligent enough to realise that the odds were stacked against them, for if a legal loophole enabled Scottish women graduates to vote for Members of Parliament, the clamour that would have resulted...would have been impossible for any government ... to withstand.'⁶² However, the Scottish Women Graduates case was never about the outcome.

Nairn was a culmination of Chrystal Macmillan's progressive outlook on life, which began in her childhood and developed throughout her feminist education. The feminist organisations in which she was involved provided her with professional mechanisms for advancing her activism. The arguments made in this case could only have been made by such a woman: one who knew the value of education, was determined to use the law to effect change, and held deeply ingrained suffragist beliefs.

Elsie Bowerman: Informal Activism as a WSPU Foot Soldier

Elsie Bowerman was much younger than Chrystal Macmillan, and while by 1909 Macmillan had already established herself as a part of the core echelon of the NUWSS, Bowerman was only just beginning her university education, studying for the Mediaeval and Modern Languages Tripos at Girton College, Cambridge.⁶³ Accordingly, her activism was far more informal than Macmillan's, based instead on attendance at university society events, her

⁶¹ The last prominent person's case in England, *Chorlton v Lings*, was decided in 1868. In that same year, the Scottish case of *Brown v Ingram (1868) 7M. 281* ruled that women were also unable to vote in parliamentary elections.

⁶² Leneman, 'When Women Were Not "Persons"', p. 117.

⁶³ 'Girton College Annual Reports Vol. 3 1906-1914, Archival Reference: GCCP 1/1/1,' (Cambridge), Girton College Archive, p. 7.

membership of the WSPU, and one-on-one social interactions with those she thought might be persuaded to convert to the suffrage cause.

However, she continued her involvement with the WSPU in Hastings while at university, moving between her Girton-based activism and her political activities in Sussex with ease and maintaining a presence in both areas. For most of the time from 1909-1914, Bowerman was not in the employ of the WSPU, only devoting her spare time to promoting the suffrage cause. This was probably in part due to her studies, and the fact that she was travelling in North America for a long period in 1912. However, Bowerman is demonstrative of the type of women joining the WSPU at this point—middle-class, financially stable, and committed to the cause without the need for remuneration.⁶⁴

Hannah Arendt's theory of necessity is a useful prism through which to consider the point of who can participate in the political sphere. Arendt posits the idea that necessity is pre-political: that living within the sphere of necessity, where a person is struggling to attain basic human needs, negates a person's ability to participate politically.⁶⁵ John Letche argues that Arendt's philosophy has been 'extraordinarily influential ... in relation to the Western polity's self-understanding of citizenship as the essential basis of politics.'⁶⁶ Such an argument is an important touchstone in considering the development of Bowerman and Macmillan's political consciousness. Both women's concept of their roles as citizens was intricately bound up not only in their politics, necessary because in their introduction to political activism they were arguing for the most fundamental of citizenship rights, to vote for representatives in a parliament, but in their social status too.

Arendt's experience of statelessness in the 1930s and 1940s is critical to her definition of citizenship: she posits that only those secure in citizenship can afford to engage

⁶⁴ Cowman, *Women of the Right Spirit*, p. 17-18.

⁶⁵ Arendt, Hanna, *The Human Condition* (Chicago, Illinois: University of Chicago Press, 1958), p. 31.

⁶⁶ Lechte, John, 'Rethinking Arendt's Theory of Necessity: Humanness as "Way of Life", or: The Ordinary as Extraordinary', *Theory, Culture and Society*, 35.1 (2018), 3–22 (p. 4.).

with political discourse.⁶⁷ Although Macmillan and Bowerman could not vote, they were a long way from the status of statelessness as middle-class, educated and prosperous women. While Arendt's ideas of participation in politics being a luxury were originally drawn from Ancient Greek society, they are also applicable in Edwardian society. Although Lyndsey Jenkins has done crucial work on the politics of class in the WSPU and the role of working-class women within the organisation, it is important to note the difficulties faced by many working-class women in balancing political activism with the responsibilities of their everyday life.⁶⁸ Such difficulties were less all-encompassing for middle-class women, afforded the luxury of a life without the necessity of low-status, low-waged work. Bowerman did not have to take paid employment during her studies and did not become a district organiser in Eastbourne until shortly before the war in 1914. Again, this reveals an interplay with Arendt's theory of necessity: Macmillan and Bowerman's status as middle-class women meant that they were able to pursue political activism in a way that many working-class women struggled to do. In their ability to do this, their lack of material need amounted to a kind of citizenship that did not require the legal recognition of personhood which women's enfranchisement provided. Both were therefore better placed to participate in legal and political forums to argue for the remaining elements of citizenship, for example, the parliamentary vote.

Bowerman stated that upon entering Girton, 'I embarked on a new existence which was to transform my whole life.'⁶⁹ Her characterisation of her university experience as transformative is telling of the impact a comprehensive education had on women, and again distinguishes her from her mother. Bowerman's schooling was key to her being able to create

⁶⁷ Villa, Dana, 'Hannah Arendt, 1906-1975', *The Review of Politics*, 71.1 (2009), 20–36 (p. 24.).

⁶⁸ Jenkins, Lyndsey, 'Annie Kenney and the Politics of Class in the Women's Social and Political Union', *Twentieth Century British History*, 30.4 (2019), 477–503.

⁶⁹ Bowerman, *Reflections of a Square*, Girton, Unpublished Memoir, Wycombe Abbey School Archive, p. 1.

a modern professional identity, as was the case for young, aspiring professional middle-class men who attended university; her studies at Girton continued in the creation of this identity. She was an active participant in the College community, and a member of the Girton College Hockey Club where she often represented the college in matches. At one meeting of the Spontaneous Speaking Society she proposed the motion: ““That man has become increasingly ridiculous with increasing civilization.””⁷⁰ Her membership of this Society, much like Macmillan’s experience in the Edinburgh Debating Society, was an extension of the political debates she participated in at school, and demonstrated the continuation of her political socialisation. Like Macmillan, Bowerman was involved in student politics, and she was co-opted onto the Student Representative Committee.⁷¹ She was obviously interested in taking an active role in political representation.

While this shows that her interest in politics extended beyond the issue of women’s suffrage, it is also clear that the issue of women’s enfranchisement was of paramount importance to Bowerman. Such a political cause can be associated with her interest in representation. After all, key to the argument for women’s suffrage was the idea of parliamentary representation. Her extracurricular activities did not mean that her suffrage support dimmed; letters she sent to her mother were often adorned with a ‘Votes for Women’ stamp. While this could be considered a rather personal and private form of activism, given that only Bowerman and her mother would have been intended to see the stamp, it shows Bowerman’s pride in her support of suffrage. This was an integral component of the formation of her personal identity.⁷²

⁷⁰ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 27.] Michaelmas Term, 1909, (Cambridge), Girton College Archive, p. 21.

⁷¹ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 24.] Michaelmas Term, 1908, (Cambridge), Girton College Archive, p. 1.

⁷² Fearon, *What Is*, p. 25.

Indeed, when describing her university experience, Bowerman admitted that ‘the struggle for votes for women certainly took pride of place.’⁷³ Such a statement revealed the centrality of the campaign for enfranchisement at this stage of Bowerman’s life. Girton College had been founded by Emily Davis, ‘a pivotal figure in the movement for the higher education of women in England’ in 1869.⁷⁴ At the time of Bowerman’s entry, in the summer of 1908, it was situated three miles outside the city of Cambridge, and although women studied at both Girton and its sister college Newnham, they would not be awarded degrees and full membership of the university until 1948.⁷⁵ Bowerman was already supportive of the women’s movement prior to attending Girton, and was involved in activism throughout her studies. The type of activism that she entered into while at Girton provided her with a solid foundation for her brief career as a WSPU organiser.

That is not to say that all the students at Girton were supportive of extending suffrage to women; a flourishing Girton College Anti-Suffrage League regularly held meetings and debates.⁷⁶ However, there were also a number of pro-suffrage college groups; a Cambridge University Women’s Suffrage Society (CUWSS) was formed in February 1908, just before Bowerman’s arrival at Girton.⁷⁷ It does not appear, from archival sources, that Bowerman was heavily involved with any of these organisations in a particularly active way. This might be explained by the fact that the CUWSS appeared to be very pro-NUWSS. In November 1909, members of the Committee who also were WSPU supporters resigned their offices, and a resolution was passed stating that ‘no officer of the C. U. W. S. W. S. shall take any

⁷³ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, Education Chapter, p. 2.

⁷⁴ Seymour Eschbach, Elizabeth, *The Higher Education of Women in England and America 1865-1920* (New York: Garland Publishing, 1993), p. 52.

⁷⁵ Purvis, *A History of Women’s Education*, p. 107.

⁷⁶ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 31.] Lent Term, 1911., (Cambridge), Girton College Archive, p. 4-5.

⁷⁷ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 22] Lent Term, 1908, (Cambridge), Girton College Archive, p. 4.

part in militant action during her term of office.’⁷⁸ However, this rejection of militancy, and by extension the WSPU, does not appear to have been absolute: Bowerman did attend some suffrage society meetings. She wrote to her mother that, ‘This evening there is to be a short suffrage meeting. Miss Majorie Corbett is coming to speak. I believe she is very nice. We thought it well to begin early on the Freshers.’⁷⁹ Not only does this demonstrate the close connections between NUWSS-supporting organisations and WSPU members at a grassroots level, but it also shows Bowerman was fully aware of the need to increase suffrage support among new university students, and the need to unite suffrage supporters given the activity of the anti-suffrage society at Girton. This suggests that Bowerman did have some informal involvement in administrative decisions about the suffrage programme and also pointed to the strict code of conduct that Girton students were expected to abide by.

At Girton, the code of conduct reflected the constrictions placed upon women in society. From both Newnham and Girton Colleges’ origins in the 1880s to the period that Bowerman attended university, the authorities insisted on scrupulously restricting the students’ movements, behaviour and their contact with men.⁸⁰ In addition to this, the students had to meet the weighty expectations of women’s education campaigners who anticipated them equalling or exceeding their male counterparts’ examination results. This was then another ‘double conformity’—simultaneously abiding by unwritten gendered codes of conduct and excelling academically.⁸¹

In January 1910, Bowerman campaigned for women’s suffrage in the general election. This was a crucial time for the WSPU, and the suffrage question at large. Prior to the dissolution of Parliament in December 1909, Asquith had stated his intention of inserting

⁷⁸ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 27.] Michaelmas Term, 1909, (Cambridge), Girton College Archive, p. 6-8.

⁷⁹ Elsie Bowerman to Edith Bowerman Chibnall, 13 October 1910, Papers Of Elsie Edith Bowerman.

⁸⁰ McWilliams-Tullberg, Rita, *A Men’s University--Though of a Mixed Type: Women at Cambridge* (London: Victor Gollancz Ltd, 1975), p. 104.

⁸¹ Delamont, ‘The Contradictions in Ladies Education’, p. 159.

a suffrage amendment into a Reform Bill that his government planned to introduce to the Commons, and then allowing MPs a free vote on the amendment. The Hastings MP, Arthur Du Cross, who was vocal about his anti-suffrage views, was looking to hold his seat. Therefore, Hastings was a crucial battleground on which to test women's suffrage support in the local electorate. It gave the WSPU at large an opportunity to canvass support for their cause, in opposition to Du Cross's anti-suffrage views.

Bowerman was a key part of this election campaign, addressing an open-air meeting to an audience of one thousand alongside prominent suffrage supporters Evelyn Wharry and Victor Duval.⁸² Wharry appears on the Roll of Honour of Suffragette Prisoners,⁸³ and Duval was the co-founder of the Men's Political Union for Women's Enfranchisement.⁸⁴ Considering the prominent speakers, the large size of the audience, and Bowerman being the only local suffragette to address the meeting, this illustrates her local prominence. It also demonstrates her competency as a suffrage activist, her advocacy skills, and the trust placed in her by the WSPU leadership to command such a meeting.

On polling day, *The Hastings and St Leonard's Observer* reported that 'the Suffragettes added gaiety to what was otherwise a very uneventful day. The ladies who honoured the polling stations with their presence had adopted the old scheme of delivering literature and advising the electors to keep the Liberal out.'⁸⁵ Although Bowerman is not mentioned by name in this article, she was likely among the women present at polling stations on Election Day. Despite Du Cross keeping his parliamentary seat, there was a drastic change in the overall parliamentary makeup in 1910. In December 1909, there had been '375 Liberals, 168 Conservatives, 83 Irish Nationalists, and 46 Labour MPs' in

⁸² 'Other Election Reports', *Votes for Women*, 21 January 1910, p. 270.

⁸³ 'Roll Of Honour Of Suffragette Prisoners 1905-1914, Reference: 7LAC/2' (London), London School of Economics, The Women's Library

⁸⁴ Crawford, Elizabeth, *The Women's Suffrage Movement: A Reference Guide 1866-1928* (United Kingdom: Routledge, 2000), p. 181.

⁸⁵ 'The Triumph', *The Hastings and St Leonards Observer*, 22 January 1910, p. 9.

Parliament, which changed after the general election to 275 Liberals, 273 Conservatives, 82 Irish Nationalists and 46 Labour MPs.⁸⁶

The WSPU attributed the Liberals' loss of seats to its campaigning, although this was not a view shared by all. Given her unconditional support of the Pankhursts, it seems likely that Bowerman would have supported the WSPU's opinion on this parliamentary change; she would have been satisfied that her local work contributed in a substantial way to the impact of the WSPU's election strategy. Shortly after the January election, the WSPU agreed to a truce from militancy in order to provide the Conciliation Bill, a cross-party initiative to grant a limited form of women's suffrage, the best possible chance of succeeding.⁸⁷ Christabel Pankhurst later attributed this change of tactic to the fact that 'mild militancy was more or less played out.'⁸⁸ This was an important moment in the suffragette movement as it implies that a militant truce was essential for progress in the campaign for votes for women. It also suggests that elements of professionalism were present within the WSPU—for a time, the organisation was able to compromise with suffragists and liberal political institutions. This corresponds with this thesis's definition of professionalism: the WSPU was an organisation with numerous branches and a complex internal hierarchal structure, whose members took part in non-domestic political activism, and had professional relationships with other organisations and politicians. While ultimately this truce did not result in the passing of the Conciliation Bill, this compromise shows the potential for WSPU members to engage with and abide by long-standing political conventions and participate in cross-organisational activism. This was an important lesson that Bowerman carried forward to her work in later organisations.

⁸⁶ Rosen, *Rise Up, Women!*, p. 130. Quoting Butler, David, and Jennie Freeman, *British Political Facts 1900-196*, 3rd edn (New York: Macmillan, 1969), p. 126 and p. 122.

⁸⁷ Raeburn, Antonia, *The Militant Suffragettes* (London: Michael Joseph, 1973), p. 140.

⁸⁸ Pankhurst, Christabel, *Unshackled: The Story of How We Won the Vote* ([n.p]: Cresset Women's Voices, 1987) p. 153-154.

Even with militancy ceasing during 1910, WSPU meetings were often still beset with shouting and interruptions, especially when one of the stars of the movement was speaking. At a meeting attended by Emmeline Pankhurst in Cambridge in May 1910, it was stated that ‘the uproar thus occasioned was met by Mrs. Pankhurst with the coolness and courtesy so essentially her own, and her speech was well heard and much appreciated by those fortunate enough to be near her.’⁸⁹ This particular meeting seems to have impressed Bowerman greatly; it is the only suffrage meeting she singles out as worthy of mention in her unpublished memoir. She states that ‘We assembled to cheer her on her way from a very strenuous meeting in the town, interrupted by a rowdy group of young male undergraduates who did not appreciate suffrage support, both in the House of Commons and elsewhere.’⁹⁰ This portrayal of Emmeline Pankhurst, and of suffrage supporters protecting her from ‘rowdy’ undergraduates, is suggestive of Bowerman’s view of her: that she was a heroic genius who needed to be defended. It was in attending this meeting that Emmeline Pankhurst spent the night at Girton College, a visit that enhanced the college’s pro-suffrage reputation.

Bowerman visited France in the summer of 1910, but this trip did not curtail her suffrage activism. She asked her mother to ‘get a copy of Votes on Friday & keep it for me — I don’t think I will procure one here they would be so frightfully shocked.’⁹¹ Just before leaving, she had attended ‘the great suffrage procession to the Albert Hall on 18 June.’⁹² At this meeting, which occurred four days after the Conciliation Bill passed its first reading in the House of Commons, Christabel Pankhurst stated, ‘If Mr. Asquith ventures...to flout the opinion of the Commons, and through them the opinion of the people, *then something must*

⁸⁹ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No. 29.] May Term, 1910, (Cambridge), Girton College Archive, p. 3-5.

⁹⁰ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, Education Chapter, p. 2.

⁹¹ Elsie Bowerman to Edith Bowerman Chibnall, 20 June 1910, Papers Of Elsie Edith Bowerman.

⁹² Purvis, Christabel Pankhurst, p. 218.

be done; and if revolution is needed, there must be revolution!’⁹³ This inflammatory rhetoric obviously impressed Bowerman. She told her mother, ‘I am very glad I did not miss Christabel.’⁹⁴ Her further letters from France are peppered with details of her surroundings and companions, and also a sustained analysis of the path of the Conciliation Bill, which shows that Bowerman was initially not as convinced as Christabel Pankhurst that the Bill would flounder: ‘am awfully glad the Bill passed with such a good majority. I don’t think the prospect is hopeless yet though of course it is not as we should have wished.’⁹⁵ Bowerman’s hopes for the Bill’s success imply a constitutional bent in her activism, suggesting again that grassroots suffrage supporters’ activism was much more complex than simply passively following the ideology of the major feminist organisations of the time. Later, Bowerman wrote that she thought the MPs’ strategy going forward would be to sink the Bill while stating that they do support women’s suffrage, and that she wished she were home as she was ‘hating missing this.’⁹⁶ This suggests that Bowerman’s thinking on the Bill had evolved: her pessimism is a demonstration of political realism and increasingly intimate knowledge of the processes of Parliament.

It is during these letters to her mother that Bowerman details some casual suffrage activism, activism with no official sanction or basis—in contrast to meetings or demonstrations—but rather, one-on-one persuasion. Bowerman’s way of conducting this activism seems to have taken the form of talking about her suffrage beliefs to others, and encouraging them to read, or lending them suffrage literature: ‘I have made one of the Scotch girls quite keen + she has promised to take in “Votes” when she goes home. I feel quite

⁹³ *Ibid.*, p. 219., quoting *Votes for Women*, 24 June 1910, p. 635.

⁹⁴ Elsie Bowerman to Edith Bowerman Chibnall, 20 June 1910, Papers Of Elsie Edith Bowerman.

⁹⁵ Elsie Bowerman to Edith Bowerman Chibnall, 15 July 1910, Papers Of Elsie Edith Bowerman.

⁹⁶ *Ibid.*

proud of myself!!⁹⁷ While such activism is so informal that its impact on the overall movement cannot be calibrated, it is clear that Bowerman was consistent in her actions in this way. She passed an edition of *Votes for Women* on to an 'Oxford youth, to read. He is a Liberal, therefore follows Lloyd George + Winston Churchill though at the same time scoffing at suffrage altogether - so it ought to do him good.'⁹⁸ She gave *The Englishwoman* to an anti-suffrage lady 'to read when she was laid up with rheumatism the other day as I thought then she would probably have time for reflection.'⁹⁹ Even when Bowerman was not necessarily involved in official suffrage activities, she used her holiday time to press the message of votes for women in an informal manner. By this point, suffrage activism was an integral part of Bowerman's everyday life and social interactions. This informal activism was not militant in nature; perhaps fully partaking in WSPU militancy might have jeopardised any future career plans for Bowerman.

Indeed, Bowerman created distance between her suffrage activism and education, writing to her mother; 'I don't know what Mrs Harrison means about my having promised to help start a branch of the W.S.P.U. Of course I will help when I am at home but can't promise anything definite.'¹⁰⁰ Bowerman's willingness to pitch in while at home attested to her continuing belief in the cause, but it is clear here that suffrage activism and working for the WSPU is not something Bowerman prioritised above her education. This again suggests a reluctance to professionalise her activism at this point in her life.

Despite this reluctance, she did, as Emmeline Pankhurst once famously espoused, perform militancy in her own way, by helping to plan an upcoming meeting hosted by

⁹⁷ Elsie Bowerman to Edith Bowerman Chibnall, 16 July 1910, Papers Of Elsie Edith Bowerman.

⁹⁸ Elsie Bowerman to Edith Bowerman Chibnall, 21 August 1910, Papers Of Elsie Edith Bowerman.

⁹⁹ *Ibid.*

¹⁰⁰ Elsie Bowerman to Edith Bowerman Chibnall, 20 October 1910, Papers Of Elsie Edith Bowerman.

prominent militant Lady Constance Lytton.¹⁰¹ This is reminiscent of her later roles in the WGE, and as Christabel Pankhurst's election agent, in which organisation and planning were key facets of her work. Bowerman told her mother that 'neither the Newnham or Girton authorities will allow us to have her to speak in college,' but stated that a fellow WSPU member had thought of a solution to this: 'So Miss Radcliffe (the Newnhamite) is going to try and hire a small hall in the town and have an "at home". Very enterprising of her isn't it? I don't think the authorities can very well have any objection to that as we shall get a married lady to act as a hostess.'¹⁰²

In this, Bowerman is defying the authority of her university, openly declaring her support of WSPU methods and tactics, and supporting the suffrage cause, but in a way that could not be condemned as militant. This was a clever strategy for a woman who wished to safeguard any future prospects. She also wore her "votes for women" badge 'in as conspicuous a position as possible in lectures'¹⁰³ and regularly contributed financially to the WSPU, donating 6s in May 1910 for 'self-denial'—a week in which WSPU members denied themselves treats and donated the money saved to the cause,¹⁰⁴ 5s for the purpose of processions in August 1910,¹⁰⁵ 2s in December 1910,¹⁰⁶ 5s in November 1911,¹⁰⁷ £1 in February 1912,¹⁰⁸ 15s in August 1912,¹⁰⁹ £6 in April 1912,¹¹⁰ and 15s in September 1912.¹¹¹

¹⁰¹ On October 12th 1912, Emmeline Pankhurst delivered a speech at the Royal Albert at which she instructed her followers to 'be militant in your own way' and famously, 'I incite this meeting to rebellion.' See: Purvis, *Christabel Pankhurst*, p. 200-202.

¹⁰² Elsie Bowerman to Edith Bowerman Chibnall, 23 October 1910, Papers Of Elsie Edith Bowerman.

¹⁰³ Elsie Bowerman to Edith Bowerman Chibnall, 27 November 1910, Papers Of Elsie Edith Bowerman.

¹⁰⁴ 'Contributions, May 19 to May 24', *Votes for Women*, 17 June 1910, p. 607.

¹⁰⁵ 'Contributions to the £100,00 Fund', *Votes for Women*, 5 August 1910, p. 743.

¹⁰⁶ 'Contributions to the £100,00 Fund', *Votes for Women*, 30 December 1910, p. 210.

¹⁰⁷ 'Hastings and St Leonard', *Votes for Women*, 3 November 1911, p. 77.

¹⁰⁸ 'Hastings and St Leonard', *Votes for Women*, 16 February 1912, p. 313.

¹⁰⁹ *Ibid.*

¹¹⁰ 'Contributions to the \$250,000 Fund', *Votes for Women*, 17 May 1912, p. 515.

¹¹¹ 'Contributions to the \$250,000 Fund', *Votes for Women*, 13 September 1912, p. 796.

She and her mother loaned suffrage books to the Hasting and St Leonards library,¹¹² and her mother (now Mrs Bowerman-Chibnall)¹¹³ donated ‘£5, being 10s for each week of Mrs Pankhurst’s imprisonment,’¹¹⁴ in August 1912. The substantial financial endowment to the WSPU is indicative of the Bowermans’ devotion to the organisation. Although Elsie in particular was unable to participate physically in many WSPU activities, her donations gave support in a different way.

Bowerman’s activism at Girton begun to take on a more formal tone at this time:

On Thursday night we had some suffrage discussion jugs...the whole college was divided up into parties of six. There was an anti in each party. We thought it would make the freshers keener if they had to argue against an anti then[sic] if they just came + listened to our arguments for suffrage. And it certainly worked splendidly. Several of them who were quite indifferent at first were very keen by the end of the evening. Especially when they saw the futility of the anti arguments. I am sending copies of this weeks [sic] “Votes” to as many people as possible in order that they may read the true account of the Deputation.¹¹⁵

This innovative approach to activism, integrating debates and the distribution of suffrage literature, is similar to that which Bowerman herself encountered throughout her education in debating groups. She was still integrating her method of spreading the suffrage message through literature and discussion, but it appears that this had evolved since her time in France, to operate on a larger scale. She hosted a ‘Café’ Concert in her room to raise funds

¹¹² ‘Hastings and St Leonard’, *Votes for Women*, 23 August 1912, p. 767.

¹¹³ Edith Bowerman had remarried to Alfred Benjamin Chibnall in January 1907, becoming Edith Bowerman-Chibnall. [*Church of England Marriages and Banns, 1754-1932*, London Metropolitan Archives; London, England; Reference Number: p82/geo1/049].

¹¹⁴ ‘Hastings and St Leonards’, *Votes for Women*, 16 August 1912, p. 754.

¹¹⁵ Elsie Bowerman to Edith Bowerman Chibnall, 27 November 1910, Papers Of Elsie Edith Bowerman.

for the WSPU. It was stated that, ‘When the meeting broke up, the audience was in a state of uncontrollable hilarity. We are glad to hear that a considerable sum was raised.’¹¹⁶ Bowerman raised money alongside Miss Radcliffe to display a ‘Votes for Women’ poster at Cambridge Station in July 1911.¹¹⁷ She had achieved this goal by the end of the month, and a poster was displayed in Cambridge Station for the first time.¹¹⁸

Bowerman’s activism transitioned from something quite private to more public, and from informal to formal. She began chairing meetings in London in December 1911.¹¹⁹ At one of these, the speaker was a Miss Elsa Myers.¹²⁰ Myers was a schoolteacher and had been a member of the WSPU since 1910; interestingly, Elizabeth Crawford notes that she would qualify as a solicitor after the Sex Disqualification (Removal) Act.¹²¹ This loose connection with the law is a rare link between Bowerman and the legal profession. Other than this, and her close friendship with Christabel Pankhurst, Bowerman appears to have had little relation to working within law at this time.¹²²

While Bowerman gradually moved to more professional activism at Girton, she also maintained a presence in her hometown. Like her father, Bowerman was concerned with bettering her local community. A Hastings WSPU branch was not established until 1911, but Bowerman and her mother Edith were already committed members of the National WSPU from at least 1908 onwards.¹²³ Although much scholarly attention has been paid to

¹¹⁶ *The Girton Review*, Archival Reference: GCCP 2/1/1, [No 31.] Lent Term, 1911, (Cambridge), Girton College Archive, p. 8.

¹¹⁷ ‘Ipswich and District’, *Votes for Women*, 14 July 1911, p. 682.

¹¹⁸ ‘Ipswich and District’, *Votes for Women*, 28 July 1911, p. 713.

¹¹⁹ ‘London Meetings for the Forthcoming Week’, *Votes for Women*, 8 December 1911, p. 165.

¹²⁰ ‘London Meetings for the Forthcoming Week’, *Votes for Women*, 15 December 1911, p. 181.

¹²¹ Crawford, *The Women’s Suffrage Movement*, p. 433.

¹²² Pankhurst graduated with a law degree from the University of Manchester 1906. She had applied, along with Bertha Cave, and another woman, Ivy Williams, to study at Lincolns Inn, but was refused. She was also honorary secretary of the short lived ‘Committee to Secure the Admission of Women to the Legal Profession’.

¹²³ Kramer, Ann, *Turbulent Spinsters: Women’s Fight for the Vote in Hastings and St Leonards* (Hastings: Circaidy Gregory Press, 2018), p. 79.

the WSPU, most of it has focused on the leaders and prominent members of the organisation.¹²⁴ There has been less examination of the local organisational structure of the WSPU.¹²⁵ This means that that ‘while we have detailed outlines of the chronology of the suffrage campaign and of specific experiences of militancy, very little is known about how the WSPU functioned as an organisation, how it recruited and retained a membership, and what constituted suffrage activism on a day-to-day basis.’¹²⁶ This is comparable to the dearth of knowledge about early women lawyers in the legal profession: although much is known about the big picture of milestones and achievements for women in law, less is known about the day-to-day experiences of women solicitors and barristers. By examining Bowerman’s experiences as a WSPU activist, this research contributes to filling that gap. Bowerman was a WSPU member firmly involved in day-to-day suffrage activism; her focus was on the casual and informal conversion of people to a pro-suffrage position, donating financially to the organisation’s various funds, and attending and speaking at suffrage meetings. This activism differs drastically from Macmillan’s for the NUWSS; while Macmillan’s activities were focused on building up networks of suffrage support, Bowerman’s activism was grassroots in nature: she worked extensively in her local area, both in Sussex and, when she attended university, in Cambridge.

Rex Marchant, in his examination of Hastings Suffragettes in a booklet written to mark the 75th anniversary of women’s partial enfranchisement, described Bowerman as ‘a very active local worker, who also seems to have got a lot of fun out of the campaign, being the central figure in such publicity stunts as driving around the town in the back of Rev.

¹²⁴ See: Rosen, *Rise Up, Women!*; Pugh, Martin, *The Pankhursts: The History of One Radical Family* (London: Vintage, 2008); Purvis, *Christabel Pankhurst* for examples.

¹²⁵ Despite this there has been excellent scholarship providing fresh perspectives on the WSPU campaign. See: Crawford, Elizabeth, *The Women’s Suffrage Movement in Britain and Ireland: A Regional Survey* (United Kingdom: Routledge, 2013) and Cowman, *Women of the Right Spirit*.

¹²⁶ Cowman, *Women of the Right Spirit*, p. 3.

Hope's placarded car and selling ice-cream from the suffragette barrow.'¹²⁷ Bowerman was able to maintain such a dedicated profile in part due to her location and class; she was just one of many local women involved in the suffrage campaign. Marchant attributes this to the town's 'large population of well-educated women of independent means.'¹²⁸ Marchant's point again illustrates the scope for political action for those who could afford it. This description fits Bowerman and her mother emphatically. Their network of rental properties in and around Hastings and St Leonards, inherited from the late Mr Bowerman, allowed them a measure of financial freedom that many women did not have.

In September 1910, Bowerman was back in Hastings. To publicise an upcoming meeting by Emmeline Pethick-Lawrence, the WSPU treasurer, and Mrs Clarke, Emmeline Pankhurst's sister, local activists organised a parade in Hastings with the Women's Suffrage Propaganda League. Bowerman led the procession and a photo of her was published in the *Hastings Pictorial Advertiser*. Again, this points to Bowerman's importance as a local activist—she was front and centre in the Hastings branches' promotional event. This publicity drive seemed to work: 'Mrs Pethick-Lawrence and Mary Jane Clarke addressed a large meeting at the Royal Concert Hall.'¹²⁹ Bowerman was present and gave Mrs Pethick-Lawrence a bouquet of flowers. In her address to the audience, Mrs Pethick-Lawrence 'asked whether it was fair that in a town such as Hastings, where the majority of people were women who made their living by letting lodgings or catering for visitors, women might have to pay election expenses or the salary of a man who did not represent them.'¹³⁰ In this, she was speaking directly to middle-class women such as Bowerman who were politically aware, had financial independence and were householders. This was notable because being a

¹²⁷ Marchant, Rex, 'The Hastings And St Leonards Suffragette Guide, Ref No: R/L/ACC12320/11/115' (Brighton), University of Sussex and Brighton and Hove Royal Pavilion Museum Records, p. 24 – 25.

¹²⁸ *Ibid.*, p. 1.

¹²⁹ Kramer, *Turbulent Spinsters*, p. 94.

¹³⁰ *Ibid.*

householder was a qualification for the male franchise at this time. Bowerman played a large role in the run-up to this meeting, in terms of both planning and publicity, and this suggests a closer relationship between her and the upper echelons of the WSPU. With this, alongside the increasing formalisation of her activism, Bowerman was transformed from student-activist to professional.

The move towards a broader form of activism is subtle and was reached just as she was about to begin her final year of university. It appears that Bowerman was still not publicly militant, unlike her mother Edith, who was part of a group of local Hastings campaigners who held a meeting to plan their response to the WSPU's boycott of the upcoming census.¹³¹ As Edith does not appear on the census, she probably evaded it successfully. However, Elsie Bowerman does appear, as a visitor in Margaret Blower's household.¹³² It is suggestive that Bowerman stayed away from her residence on such a significant night, and as Margaret Blower was the head of the household and was responsible for completing the form, Bowerman may not have had any choice about whether she appeared on the census.

Although Bowerman's rebellious activities, both at Girton and at home in Hastings, moved from informal actions to a more professional activist image, these soon paled in comparison to her mother's more overtly militant actions. Edith Bowerman-Chibnall took part in the infamous Black Friday march on 18 November 1910. After Prime Minister H. H. Asquith had revealed that the government planned to devote no more time to the Conciliation Bill, which would have given the parliamentary vote to those women who owned property,

¹³¹ *Ibid.*, p. 97.

¹³² 'Elsie Bowerman', *Census Return for Wrottesley Pett, Nr Winchelsea, Hastings Subdistrict, Sussex, 1911* (Public Record Office, Class: RG14; Piece: 4729; Schedule Number: 71, <http://www.ancestry.co.uk> (accessed 6 January 2021) On this census, Margaret Blower lists herself as a science student at Girton College. Elsie Bowerman was a visitor in Blower's house, alongside three other visitors—all students at Girton—and a servant. Interestingly, one of the other visitors present was Sybil Campbell, an early woman barrister and the first woman to be appointed as a stipendiary magistrate.

a deputation of members of the WSPU went to Parliament Square seeking an audience with the Prime Minister. This deputation resulted in around 300 women clashing with police and anti-suffrage campaigners, leading to accusations of police violence, and the arrest of many of the women. The Prime Minister refused to see the deputation, and the conflict between the police and protesters lasted several hours, with many injuries and sexual assaults being reported.

Black Friday, as it was subsequently called, occupies an almost mythological status in many suffrage histories, and some have attributed the subsequent intensification of militancy to the violence meted out to women on this day.¹³³ However, prior to 18 November 1910, Black Friday was not expected. The WSPU had abided by their truce from militancy since January and, as Bowerman wrote in a letter to her mother, ‘I do hope you won’t get arrested. It would be so horrible in this cold weather but I shouldn’t think they would dare do anything to you just before the general election.’¹³⁴ Bowerman evidently thought that if significant arrests were made, then it would have a negative effect on the Liberal Party’s election prospects; the suffragettes assumed that violence against them would reflect badly on the government. However, this was not the case. As Edith Bowerman-Chibnall told Antonia Raeburn, who interviewed Edith for her book *The Militant Suffragettes*, there was considerable aggression acted out towards the suffragettes on 18 November. Bowerman-Chibnall stated that it was her intention to go to 10 Downing Street or die in the attempt, and in response, a nearby policeman [gave] her a blow on the head. ‘He caught me by the hair and flinging me aside said: “Die then!” I found afterwards that so much force had been used that my hairpins were bent double in my hair and my sealskin coat was torn to ribbons.’¹³⁵

¹³³See: Morrell Caroline, *Black Friday: Violence Against Women in the Suffragette Movement (Explorations in Feminism)* ([n.p.]: Women's Research and Resources Centre, 1981); Raeburn, *The Militant Suffragettes*, p. 152-165, and Bearman, C. J., 'The Legend of Black Friday', *Historical Research*, 83.222, (2010), 693-718.

¹³⁴ Elsie Bowerman to Edith Bowerman Chibnall, 17 November 1910, Papers Of Elsie Edith Bowerman.

¹³⁵ Raeburn, *The Militant Suffragettes*, p. 156.

Such an experience must have been traumatic to say the least, but Bowerman's response to her mother seems almost jealous; 'needless to say I have been simply wild with excitement these last two days. I am awfully glad you got on so well on Friday. I think the deputation has done a tremendous amount of good as there are lengthy accounts of it in all the newspapers and there was quite a long debate on the subject in the house.'¹³⁶ Her envy is understandable. Both she and her mother were devoted to the WSPU, and frequently donated their time and money to support women's suffrage. However, Bowerman's activism at this stage was grounded in person-to-person interactions rather than demonstrative attendance at notorious suffrage marches. That is not to say that she did not fully partake in suffragette activities both in Cambridge and Hastings, but it is clear that she wanted to avoid arrest or active engagement in militancy. Her letter of a few days later shows a more nuanced response to Black Friday: 'It is sickening that this endless fighting has to go on... I hope you won't go on any more raids. I think you have done your share for the week.'¹³⁷ This shows a concern, not only for her mother, but also for the other suffragettes affected by the raid.

Bowerman left Girton College in 1911, achieving a Class II in her Mediaeval and Modern Languages Tripos. Perhaps because her education had finished, or her mother needed recuperation after the events of Black Friday, she and Edith decided that they would visit North America for an extended time, travelling on the ill-fated liner *RMS Titanic* in April 1912. The completion of Bowerman's education, just at the time when her activism was becoming more formal, shows a shift in the conception of her identity. She was free from the restraints of Girton and able to fully partake in WSPU activism without fear of collegiate reprisal. Bowerman and her mother were active in the WSPU right up until their

¹³⁶ Elsie Bowerman to Edith Bowerman Chibnall, 20 November 1910, Papers Of Elsie Edith Bowerman.

¹³⁷ Elsie Bowerman to Edith Bowerman Chibnall, 23 November 1910, Papers Of Elsie Edith Bowerman.

departure on the *Titanic*: she attended an open-air meeting in Hastings on the Saturday before she sailed and managed to procure a new subscriber to *Votes for Women*.¹³⁸

As is well known, the *Titanic* hit an iceberg and sank in the North Atlantic Ocean on 15 April 1912. Although initially reported as missing, both Bowerman and her mother survived the vessel's sinking. As a testament to their survival, *Votes for Women* celebrated the Bowermans' escape from the ship, stating that they were 'very enthusiastic workers in the cause.'¹³⁹ The linking of this international disaster to her political activism shows how singular Bowerman's social, public-facing identity was at this time. However, she and her mother spent time travelling in North America visiting family during most of 1912, missing the intensification of WSPU militancy both on a national scale and more locally: in Hastings concerns were raised about suffragette interference with pillar boxes.¹⁴⁰

During the time after Bowerman finished her university studies, she continued her transition from a casual, informal style of activism towards a more professional style. More speaking engagements, coupled with her role as the Eastbourne organiser, suggest that she was beginning to think about political activism as a career. Working as an organiser was not a role undertaken lightly. Cowman argues that 'organisers carried out a variety of duties. They undertook short-term deployments to carry out specific campaigns but might also be expected to live in their allocated districts for several years.'¹⁴¹ They were key and valued parts of the WSPU organisational structure, and crucial to its continuing success in terms of activism, public engagement and newspaper coverage. Bowerman's long-term commitment to the WSPU, as well as her continuous donation of both her time and money to the cause, must have suggested to Emmeline and Christabel Pankhurst her indispensability as a WSPU foot soldier. However, Bowerman's role extended far beyond this grassroots level; her

¹³⁸ 'New Readers Wanted!', *Votes for Women*, 19 April 1912, p. 460.

¹³⁹ 'Heroism that Knows no Sex', *Votes for Women*, 26 April 1912, p. 466.

¹⁴⁰ 'Suffragettes and the Post', *Hastings and St Leonards Observer*, 15 March 1913.

¹⁴¹ Cowman, *Women of the Right Spirit*, p. 4-5.

organisational prowess and ability to deal with large-scale events also developed in this period. Although the outbreak of war would intervene and cut short her career as an organiser, this confidence in her political and organisational abilities would later be seen in Bowerman's role as Christabel Pankhurst's election agent in the 1918 general election. Bowerman was new to the more formal activism that being an organiser encompassed, but her role and responsibilities gave her an idea of what a professional identity would look like. The following chapter will explore how this was further developed during the war. The development of her activism from casual to more formal simultaneously lent itself to the emergence of her professional identity.

Chrystal Macmillan's Suffrage Activism: Scotland and Beyond

In the aftermath of her appearance in the House of Lords, Macmillan had become a highly sought-after speaker, especially within Scotland. Leneman identifies 1909 as marking a crucial 'flowering of the [suffrage] movement' in Scotland, both within the militant and constitutionalist suffrage organisations.¹⁴² Macmillan was at the forefront of this flowering, due in part to her national prominence within suffrage circles, and also because of her tireless work travelling to remote and often near-inaccessible areas of Scotland to preach the suffrage message. Despite this Scottish focus, Macmillan was also able to remain involved in the suffrage society throughout England, and more specifically, London. Again, attention was drawn to her already considerable achievements for the movement: 'Miss Chrystal Macmillan's name is of worldwide fame, for she it was who spoke to the House of Lords, and pleaded there for the rights of women.'¹⁴³ Details of her work featured often in the NUWSS newspaper, *The Common Cause*. It advertised upcoming events where she was speaking, and sometimes detailed the subjects on which she was speaking. Between 1909

¹⁴² Leneman, *A Guid Cause*, p. 71.

¹⁴³ 'Special Notices.' *Women's Franchise*, 4 February. 1909, p. 385.

and the outbreak of war in August 1914, Macmillan spoke on at least 80 separate occasions in the UK. She spoke at public meetings, “At Homes” often in drawing rooms in suffrage supporters’ homes, at mass demonstrations, as an invited speaker for local suffrage societies and even appeared as a lecturer at a NUWSS-sponsored Suffrage Summer School.¹⁴⁴ The locations of these speeches varied—Macmillan appeared in London, Orkney, Falkland, Cardiff, Norwood, Leamington, Edinburgh and Wolverhampton to mention a few. She travelled extensively during the peak years of the suffrage campaign, often dropping in to speak at meetings in towns on her journeys from London to Edinburgh. The sheer volume of Macmillan’s speaking engagements, alongside the locational diversity of her activism, is suggestive of her skill as a persuasive speaker. Despite remaining firmly constitutionalist in terms of her own methods of activism, Macmillan was also engaged in cross-organisational events. She spoke at a mass meeting in Edinburgh on 21 July 1910 alongside the WSPU and WFL in support of the Conciliation Bill.¹⁴⁵ She also spoke alongside Christabel Pankhurst and Teresa Billington-Grieg, a former member of the WSPU who helped to create the Women’s Freedom League, in February 1909.¹⁴⁶ Although these events occurred before the WSPU’s final intensification of militancy, her willingness to appear on platforms with militants is a testament to her ability to work with others with whom she did not necessarily agree, and also her wish to reach as wide an audience as possible. Macmillan was extraordinarily active in this period, and her work achieved tangible results: she was often

¹⁴⁴ For some examples of Macmillan’s varied workload, see: ‘Lectures at St. James’s Hall’, *Votes for Women*, 26 February 1909, p. 384.; ‘Forthcoming Meetings’, *The Common Cause*, 29 April 1909, p. 46.; ‘Work in the Constituencies’, *The Common Cause*, 20 May 1909, p. 81.; ‘Dundee’, *The Common Cause*, 4 November 1909, p. 394.; ‘Late Advertisements’, *Perthshire Advertiser*, 23 February 1910, p. 4.; ‘Edinburgh’, *The Common Cause*, 17 March 1910, p. 695.; ‘Platform 1’, *The Common Cause*, 14 July 1910, p. 220.; ‘Forthcoming Meetings’, *The Common Cause*, 26 January 1911, p. 691.; ‘Hackney Central’, *The Common Cause*, 2 November 1911, p. 523.; ‘Public Reception’, *The Common Cause*, 25 January 1912, p. 719.; ‘Summer School For Suffragettes’, *The Common Cause*, 18 July 1912, p. 249.

¹⁴⁵ ‘Edinburgh Demonstration’, *The Common Cause*, 21 July 1910, p. 244.

¹⁴⁶ ‘Special Notices’, *Women’s Franchise*, 4 February 1909, p. 385 and ‘Lectures at St James’s Hall’, *Votes for Women*, 26 February 1909, p. 384.

credited with helping to create local suffrage societies and was mentioned by other suffrage activists when they visited places where she had campaigned previously. W. H. Lamond, a fellow suffragist, mentioned in 1910 that ‘for the moment I am working in Newburgh (Fife), where Miss Chrystal Macmillan made a good many converts during the general election.’¹⁴⁷ In this sense, Macmillan’s speaking work revolved around the creation of grassroots support for women’s suffrage that extended across the UK.

To enable this, Macmillan organised and participated in longer ‘campaigns’ of speaking events. These were designed to target a specific area for a short space of time. Such campaigns allowed for excellent publicity, in the pages of both suffrage papers and local media. In September 1909, Macmillan announced that ‘the [Scottish University Women’s Suffrage] Union is carrying on campaigns both in the South and in the North of Scotland.’¹⁴⁸ Macmillan took charge and was the primary speaker in the Northern campaign, conducting a series of strenuous meetings. These were not only taxing because of the unknowable reaction of audiences, but also for the mere fact that it was often sometimes very difficult to travel to remote parts of the country. She noted that at one meeting ‘[the] town [was] thirty miles from a railway.’¹⁴⁹ Macmillan elaborated further on these issues in an additional article; ‘I have had a very busy week, as the distances are great, and the steamers by no means regular.’¹⁵⁰ The commitment required for such an exacting workload was extraordinary, and is demonstrative of her dedication to the cause and confidence in her ability to convert people to her point of view.

Even once she made it to the location of her speaking engagement, she did not always receive a warm welcome. Macmillan spoke of a ‘well-known local heckler’ at Lerwick and stated that ‘some dozen or 20 youths kept up a continuous rattle throughout the meeting’ in

¹⁴⁷ ‘North-Western Federation’, *The Common Cause*, 9 June 1910, p. 137.

¹⁴⁸ ‘Scottish University Women’s Suffrage Union’, *The Common Cause*, 28 September 1909, p. 305.

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*, p. 315.

Kirkwell.¹⁵¹ This was an issue suffrage speakers encountered across the UK. *The North Wales Times* reported that ‘Miss Macmillan then rose to address the meeting, and it was with great difficulty that she made her remarks audible, owing to the noise ... at times the greatest uproar prevailed, horns and whistles were blown, and comic songs were sang [sic] by the gang of interrupters.’¹⁵² Macmillan’s persistence was a key element of her political activism: she needed to be resilient to criticism both of her ideology and of her role as a public woman.

Despite the evident difficulties, Macmillan revelled in the small successes of her work. She frequently mentioned ‘sympathetic crowd[s]’ and ‘crowded’ halls, as well as detailing literature sales and collections of funds.¹⁵³ Indeed, it appears that being optimistic about the public response to suffrage activists was a recurring habit of Macmillan’s. Leneman quotes from Eunice Murray, a member of the Women’s Freedom League (WFL), who stated that she ‘only found the courage to continue because her companion, Chrystal Macmillan, remained so oblivious to the jeering crowd.’¹⁵⁴ Macmillan herself confirmed her positive mindset, writing in *The Common Cause* that ‘I do not recognise failures.’¹⁵⁵ Although this suggestion that Macmillan had difficulty in reading crowds could be construed in negative terms, given that it throws doubts on her accounts of sympathetic audiences, it also reveals a deep-rooted resilience to criticism of her suffrage activism, and tenacity in the face of constant verbal abuse from those who did not agree with her. Understandably, given that the newspapers of the time used the terms almost interchangeably, many people confused militant suffragettes and the law-abiding suffragists—and so often suffragists were subjected to the same verbal abuse and even physical attacks as their more militant sisters.¹⁵⁶

¹⁵¹ *Ibid.*

¹⁵² ‘Votes for Women: A Rowdy Meeting’, *The North Wales Times*, 17 September 1910, p. 4.

¹⁵³ ‘Scottish University Women’s Suffrage Union’, *The Common Cause*, 14 October. 1909, p. 344.

¹⁵⁴ Leneman, *A Guid Cause*, p. 78. Quoting Eunice Murray’s diary which Leneman states is ‘in the possession of her nephew.’

¹⁵⁵ ‘To the Editor, “The Common Cause”’, *The Common Cause*, 5 January 1911, p. 643.

¹⁵⁶ See: Robinson, *Hearts and Minds*, p. 173-178. for a more detailed discussion of this.

There is evidence to suggest that Macmillan was a popular speaker who did achieve successes, not only in spreading the suffrage message, but in persuading men and women to support the cause. She returned to towns on multiple occasions, and her visits were pivotal in the formation of a number of local suffrage societies. In September 1909, she mentioned that the day after she spoke on the Scottish island of Sandy, ‘the Orcadian Suffrage Association was formed ... with 12 members.’¹⁵⁷ In the same month, women in Dornoch and Cromarty also formed societies after hearing Macmillan speak.¹⁵⁸ In May 1911, a Bridge of Allan and Stirlingshire Branch of the NUWSS was formed after Macmillan and Alice Low addressed meetings there.¹⁵⁹ Therefore, despite encountering difficulties in gathering support for women’s suffrage, it is clear that Macmillan was successful in spreading grassroots support for the cause in areas far away from the political hubs of London, Manchester and Edinburgh. This was a key achievement, given that widespread geographical support among women and men of all classes was essential in making women’s suffrage a national movement.

In addition to her speaking engagements, Macmillan became experienced at more specific political campaigns, often speaking at or being the chief NUWSS organiser for elections. This engagement with political institutions and traditions was a shift in terms of her activism, albeit a necessary one to capitalise on the publicity the suffrage campaign enjoyed. She spoke at four open-air meetings for the East Edinburgh by-election in April 1909 and performed ‘yeoman service’ (i.e. she performed her election duties in an exemplary manner),¹⁶⁰ and was present at the Glasgow (Tradeston) election in July 1911 and the East Edinburgh by-election in early 1912. However, it is her role as the principal NUWSS worker

¹⁵⁷ ‘Scottish University Women’s Suffrage Union’, *The Common Cause*, 30 September 1909, p. 315.

¹⁵⁸ ‘Scottish University Women’s Suffrage Union’, *The Common Cause*, 14 October 1909, p. 344.

¹⁵⁹ ‘Formation of a New Society’, *The Common Cause*, 4 May 1911, p. 64.

¹⁶⁰ ‘East Edinburgh’, *The Common Cause*, 15 April 1909, p. 5.

in the East Fife election in January 1910, opposing Prime Minister Herbert Asquith's return, that illustrates the confidence placed in her and the high regard in which she was held by her suffrage colleagues.¹⁶¹ Not only did Asquith hold the most important political position in the country, but he was also an avowed opponent of women's suffrage. East Fife was therefore an important constituency for the NUWSS to target.

Macmillan was a strategically good choice to spearhead the East Fife suffrage agitation. She was Scottish, already had extensive experience in spreading the suffrage message in the country, and had an unparalleled political knowledge, both on the national arena and more specifically in the constituency. She conducted her campaign in her characteristic upbeat and busy manner, opening it in December 1909 and holding six meetings in the district between then and 6 January 1910.¹⁶² At a meeting on 15 January, Macmillan spoke to a large audience 'composed principally of ladies.' She offered a well-thought-out critique of Asquith's claim that he fought for a representative government, arguing that because the anti-suffrage Asquith clearly did not support women's votes, his statement was not 'intellectually honest'.¹⁶³ This displayed a political shrewdness: Macmillan was attacking Asquith's reformist credentials and the trustworthiness of his character. The January 1910 election was fought by the Liberal Government in order to get a mandate to introduce pro-reform peers into the House of Lords. This was because the Lords was overwhelmingly dominated by Conservative peers, who continually voted down the Liberal Government's more radical legislation. Consequently, a crucial lynchpin of Asquith's election policy was the idea that the Liberals were the only political party dedicated to reforming legislation that would improve life for a wider electorate. By attacking such a crucial part of the Liberal Party's manifesto, Macmillan revealed an evident

¹⁶¹ 'Suffragettes in East Fife', *St Andrews Citizen*, 1 January 1910, p. 8.

¹⁶² 'General Election Campaign in East Fife and the St. Andrews Burghs', *The Common Cause*, 13 January 1910, p. 543.

¹⁶³ 'Votes for Women', *St Andrews Citizen*, 22 January 1910, p. 4.

contradiction that Asquith would rather have seen ignored. Her presence in his constituency during this campaign made that impossible.

In her own report of the election campaign, Macmillan referred to Asquith as a 'noted opponent' and confirmed that he had stated his continued opposition to women's suffrage in the lead-up to polling day.¹⁶⁴ Macmillan also met Asquith face to face, reiterating her point about representation involving women, and pressing her case in a way that was markedly different to that of the suffragettes: 'When he [Asquith] was leaving the school I spoke to him, saying that he had been speaking a great deal lately about the will of the people. I therefore hoped that if he went back to the House he would do something to make it possible to take the will of the people into consideration.'¹⁶⁵ In this exchange, Macmillan used logic and reasoned critique to impress upon Asquith her point of view. From her perspective, it appears the exchange was polite yet forthright. While Asquith retained his opposition to women's suffrage up until the outbreak of war, this clearly shows that Macmillan's methodology in terms of engaging with the Antis was to present them with a reasoned and measured argument.

As well as her speaking engagements throughout the country and her work in by-elections, Macmillan was by this point a committed executive member of the NUWSS committee. She spoke at mass meetings alongside Millicent Fawcett,¹⁶⁶ attended National Conventions, Council Meetings, and a deputation to the Lord Advocate of Scotland,¹⁶⁷ and was even profiled on the front page of *The Common Cause* in February 1912. Her prominence in the NUWSS, and the women's movement at large, is indicative of her organisational prowess, her advocacy skills and her commitment to the cause.

¹⁶⁴ 'East Fife and St. Andrews', *The Common Cause*, 3 February 1910, p. 594.

¹⁶⁵ *Ibid.*

¹⁶⁶ 'Platform 1', *The Common Cause*, 14 July 1910, p. 220.

¹⁶⁷ 'Deputation to the Lord Advocate of Scotland', *The Common Cause*, 21 March 1912, p. 849.

Despite remaining active in both the Scottish and English campaigns for votes for women, it is clear that Macmillan was heavily involved in transnational women's organisations at this time, both in pursuit of the vote and for wider feminist reforms. The roots of her internationalism stretched back long before the outbreak of war in 1914, by which time she had already built up a network of feminist friendships that stretched across Europe and Northern America. The cornerstones of Macmillan's transnational activism were her frequent attendance at far-flung international conferences and her collaborative work with suffragists from other countries.

In April 1909, the Fourth Congress of the International Woman Suffrage Alliance was held in London, in the midst of 'the intensified activities of the suffragists and the militant activities of the suffragettes.'¹⁶⁸ Macmillan attended as a delegate, speaking for five minutes on behalf of the International Council of Women. She argued that 'the vote, going to the root of reform, is really the weapon without which such unions as the Women Workers must always be crippled.'¹⁶⁹ This quote offers an excellent insight into Macmillan's thinking at the time: her outlook for reform was always wide-reaching, but it is clear here that she believed reforms would only be agreed when MPs could be held accountable to a woman electorate. She also attended the International Council of Women Conference in Toronto later that same year. Macmillan was working to spread the suffrage message even before the conference officially opened: on the boat voyage to Canada she organised and spoke at a 'large Suffrage meeting' attended by a packed audience 'of between 200 and 300 people.'¹⁷⁰ Macmillan spoke about 'the international aspect of the Suffrage movement, of the benefit it would be, not only to women, but to the whole community, and how all the different countries and societies made exactly the same demand.'¹⁷¹ This stressing of the international

¹⁶⁸ Whittick, Arnold, *Woman into Citizen* ([n.p]: Athenaeum, 1979), p. 48.

¹⁶⁹ 'The International Suffrage Congress', *Votes for Women*, 7 May 1909, p. 638.

¹⁷⁰ 'The Voyage Out', *The Common Cause*, 24 June 1909, p. 144.

¹⁷¹ 'Correspondence', *Women's Franchise*, 24 June 1909, p. 647.

aspect of suffragism is key to Macmillan's conception of her feminism: it did not stop at national boundaries. Macmillan was keen to promote a worldwide feminism. Indeed, she wrote in opposition to an official statement made by the India Office in relation to women's municipal votes in India. Macmillan argued for more concrete figures to ascertain the India Office's statement that Indian women did not possess the municipal vote.¹⁷² After challenges by several suffragists, including Macmillan, the India Office agreed that in certain provinces women did have the right to vote municipally. However, they argued that this right was rarely exercised, apart from in Bombay. Macmillan's distrust of this arm of imperial government is clear; after all, the Office had only recently stated that no Indian women possessed the municipal vote. Her inquiry into the status of voting habits in India also speaks again of her interest in suffrage internationally.

Macmillan continued attending IWSA conferences in the run-up to the war. She was elected as a NUWSS representative to the Congress at Stockholm in June 1911,¹⁷³ and again at Budapest in 1913, where she was elected as a member of the IWSA Board as 1st recording secretary.¹⁷⁴ She also worked collaboratively with international suffragists. In 1913, she wrote a book in collaboration with Marie Stritt, a German feminist, and Maria Verone, who was French, titled *Woman Suffrage in Practice*. The foreword was written by the renowned American suffragist Carrie Chapman-Catt, and Macmillan wrote the introduction in which she explained that at the IWSA Conference in 1911 it was decided that a book should be written compiling the efforts of women worldwide to fully participate in their duties of citizenship to show that 'Woman Suffrage had ceased to be an academic question.'¹⁷⁵

¹⁷² 'The Movement Abroad', *Votes for Women*, 16 January 1914, p. 241.

¹⁷³ 'Congress at Stockholm of the International Woman Suffrage Alliance', *The Common Cause*, 2 February 1911, p. 699.

¹⁷⁴ 'The International Congress at Buda Pesth', *The Common Cause*, 13 June 1913, p. 157.

¹⁷⁵ *Woman Suffrage in Practice* ([n.p]: The National Union of Women's Suffrage Societies, 1913), p. vii.

Macmillan was solely responsible for compiling the sections on 'New Zealand, the Commonwealth of Australia, the United States of America, Canada, British Honduras, the Isle of Man, the United Kingdom of Great Britain and Ireland, Burmah, India, Java, China, the Union of South Africa, and Switzerland.'¹⁷⁶ Such a wide-ranging project required a substantial amount of research, conducted by each of the compilers through letters, government documents, records and literature from various suffrage organisations, and state departments. The history of and legislation relating to women's suffrage in each country was detailed, as well as the qualifications required for suffrage. In countries in which women were already enfranchised, the benefits of their enfranchisement were noted. There was also often some examination of other legal reforms that affected women; for example, Macmillan emphasised equal pay for equal work and industrial laws in Australia.¹⁷⁷

Macmillan increasingly highlighted legal issues involving women that were separate from the vote. In 1914 she delivered a paper at the 'Women in the Home, in the Labour Market, and in the Works of Public Aid and Prevention' conference in Rome. At this time, she also began her critique of a peculiarity of English law that she would continue to work to change for the rest of her life; namely, the loss of British nationality for women who married a foreigner.¹⁷⁸

Macmillan went beyond simply advocating for votes for white women in her analysis of such a law, comparing the issue of enfranchisement to instances of racism. In this, she displayed a perceptively layered study of the impact such gendered legislation could have, arguing that 'the degeneration of the black woman or the yellow woman, by the sanctioning of customs affecting their position which resemble slavery, is a degradation to the whole of

¹⁷⁶ *Woman Suffrage in Practice* ([n.p]: The National Union of Women's Suffrage Societies, 1913), p. vii.

¹⁷⁷ *Ibid.*, p. 14 - 16.

¹⁷⁸ Karen Knop and Christine Chinkin, 'Remembering Chrystal MacMillan: Women's Equality and Nationality in International Law', *Michigan Journal of International Law*, 22.4, (2001), 523-585 (p. 524).

womanhood, and with it goes a lowering of the level of civilisation.’¹⁷⁹ Macmillan’s connection of nationality removal to other forms of discrimination is a perceptive analysis that drew upon and inverted contemporary political discourse surrounding eugenics. While eugenic arguments sought to elevate white women as the pinnacle of femininity and womanhood, Macmillan’s analysis was more inclusive. She wrote this article during a meeting of the Board of Officers of the IWSA, and continued her international focus, stating that the ‘presence in London this week of so many nationalities at the meeting of the Board of Officers of the International Women’s Suffrage Alliance ... is a concrete manifestation of the worldwide character of the Suffrage movement’.¹⁸⁰ The title of the article, *The Empire’s Need for Women’s Votes*, is clear in its disapproval of Britain’s role in denying women in its colonies the vote. While this statement may not be clearly anti-imperialist, it represents a very different political position to those of other leading feminists of this time, such as Emmeline Pankhurst and Millicent Fawcett, who were primarily concerned with votes for white women.

During this period, Macmillan’s suffrage activism increasingly took on a legal character. Building on her reputation, established in the 1908 Scottish University Graduates case, Macmillan sought to use her platform to analyse and critique parliamentary Bills and Acts, both in the pages of *The Common Cause* and in her speaking engagements throughout the UK. This legal analysis was gendered in nature; Macmillan sought out inequalities faced by women, critiqued and campaigned against clauses in Bills that fostered double standards between men and women, and provided suggestions on how women could best utilise the law to improve their lives.

In 1911, David Lloyd George, the Liberal Chancellor of the Exchequer, introduced a Bill into the House of Commons that would shortly become the Insurance Act

¹⁷⁹ ‘The Empires Need for Women’s Votes’, *The Common Cause*, 10 July 1914, p. 296.

¹⁸⁰ *Ibid.*

of 1911. Jose Harris characterises it as ‘the most substantial social welfare measure of the Edwardian period.’¹⁸¹ It was an innovative piece of legislation inspired by a German national insurance scheme introduced by Bismarck, the first Chancellor of Germany, in the 1880s. Lloyd George had visited Germany in 1908 to study the implementation of its insurance scheme,¹⁸² and aimed to introduce a state-sanctioned insurance framework that ‘was to provide weekly cash benefits and some medical care for all earners below the income tax threshold (then £160 per year), a maternity benefit ... widows’ and orphans’ pensions ... [and] an invalidity pension based on the German model.’¹⁸³ Until this point, there had been a network of voluntary organisations across the country which provided insurance benefits for groups of workers who fell ill, were injured, or out of work. However, these organisations were exclusive in nature, and often only encompassed skilled workers who were employed permanently, excluding much of the very poorest of society, and women. For those very poorest, ‘under Britain’s notoriously punitive Poor Laws, all able-bodied males who sought public assistance were judged as unworthy on the grounds that work was available for all those who searched for it.’¹⁸⁴

However, Lloyd George was forced to compromise in the final version of the Bill, and many of his initial ideas were scrapped. Pat Thane argues that ‘widows’ and orphans’ pensions were not greeted with enthusiasm outside women’s organisations, which had relatively little clout while women had no vote.’¹⁸⁵ Thane’s analysis suggests that critiques levelled at the Bill by women’s organisations operated in a kind of echo chamber; they were made, but the government took no notice of the criticisms because of women’s un-

¹⁸¹ Harris, Jose, ‘Victorian Values and the Founders of the Welfare State’, *Proceedings of the British Academy*, 78 (1992), 165–82. (p. 170).

¹⁸² Pugh, Martin, *Lloyd George (Profiles in Power)* (London: Routledge, 1988), p. 70.

¹⁸³ Thane, Pat, ‘The Making of National Insurance, 1911’, *Journal of Poverty and Social Justice*, 19.3 (2011), 211–19. (p. 214).

¹⁸⁴ Whiteside, Noel, ‘Who Were the Unemployed? Conventions, Classifications and Social Security Law in Britain (1911-1934)’, *Historical Social Research*, 40.1 (2015), 150–69. (p. 151).

¹⁸⁵ Thane, ‘The Making of National Insurance’, (p. 214).

enfranchised status. This was a hurdle repeatedly faced by women in various spheres including the legal profession; even when women were admitted, their numbers were small and it took many years for them to be accepted into important sub-organisations and social occasions.¹⁸⁶ Much of the continued low status of women in law was due to the lack of women in prominent positions of power, such as heads of firms or King's Counsel.

Despite the compromises that Lloyd George had to make in order to ensure that his Act passed through both houses, the enacted Insurance Act was wide-ranging in nature: 'The benefits amounted to 10s per week for men, and 7s 6d for women ... for the first 26 weeks of sickness.'¹⁸⁷ Benefits were not paid for the first three days of illness to discourage those who were not truly ill, and contributors gained access to a GP as well as voluntary and Poor Law Hospitals. Maternity benefit was paid: a one-off payment of 30s for insured women or the wives of insured men. However, the Act was not satisfactory for all it aimed to help; 'most lower-paid workers could not afford contributions at all and many of them, such as domestic servants and dockworkers, were casually or irregularly employed and their employers were eager to evade the system.'¹⁸⁸ It was this aspect of the Insurance Act that came under harsh criticism from feminist organisations, and in the NUWSS this was spearheaded by Macmillan.

Jen Dale argues that 'most critical accounts of the development of the welfare state during the 20th century have analysed its formation in terms of class struggle, ignoring conflicts based on gender interests.'¹⁸⁹ However, gendered critiques of inequalities were made at the time. As recorded in *The Common Cause*, quoting a letter sent to the *Daily News*, Macmillan wrote that: 'out of the National Exchequer there is to be paid annually into the fund for assisting men in ill-health £4,464,333, or more than twice the sum—£1,906,666—

¹⁸⁶ Thornton, *Dissonance and Distrust*, p. VIII.

¹⁸⁷ Thane, 'The Making of National Insurance, 1911', (p. 215).

¹⁸⁸ *Ibid.*, (p. 216).

¹⁸⁹ Dale, Jen, 'Feminists and the Development of the Welfare State -- Some Lessons from Our History', *Critical Soc. Pol'y*, 6 (1986), 57–65. (p. 57).

which is to be paid from this source into the sum for assisting women in ill-health ... Why ... should the nation devote twice as much to improving the health of the working men of the community as is being given for the same purpose to the women of that class?’¹⁹⁰ Macmillan’s critique of the discriminatory welfare provision in gendered terms was key evidence of her attention to women’s continued inequality under the law.

Macmillan highlighted a gendered double standard enshrined in law that had been consistently challenged by feminists since the mid-19th century. It had only been 29 years since the Married Women’s Property Act 1882 enabled a married woman to hold property separately from her husband for the first time, allowing ‘significant recognition of her individual legal identity.’¹⁹¹ The Insurance Act 1911 similarly ensured that men and women were treated differently under the law. Women were therefore disadvantaged in numerous ways; the question of suffrage was only the tip of the iceberg, and Macmillan’s foregrounding of these other inequalities positioned them as something that would be amended when women were enfranchised.

In addition to writing on the subject, Macmillan also attended meetings that critiqued the Bill, moving resolutions in protest at some of its provisions.¹⁹² Evidently, meetings that debated the deficiencies of the Bill were not isolated: ‘the discussion of the measure was carried on quite as effectively, and to as much purpose, outside the walls of Parliament as within,’¹⁹³ and in November the government introduced a clause that alleviated concerns about sick pay not being given to insured people who had board and lodgings with their employer. Macmillan clearly saw the introduction of this clause in gendered terms: ‘the present arrangement is as fair to domestic servants as to other employed women’. She

¹⁹⁰ ‘Men Get Double’, *The Common Cause*, 15 June 1911, p. 166.

¹⁹¹ Holmes, Ann Sumner, ‘The Double Standard in the English Divorce Laws, 1857-1923’, *Law & Social Inquiry*, 20.2 (1995), 601–20. (p. 608).

¹⁹² ‘Married Women and Domesticity’, *The Dundee Evening Telegraph and Post*, 10 July 1911, p. 5.

¹⁹³ Shepard, Walter James ‘The British National Insurance Act’, *The American Political Science Review*, 6.2 (1912), 229–34. (p. 230).

advised ‘that servants will get the best value for their money if they form societies of their own, because it is in the power of any society to make its own rules regarding surplus money.’¹⁹⁴ In essence, she was advocating for a trade union style organisation for servants. This article began a three-part series analysing the current status of the law, and the changes that would be brought about if the Bill passed. After looking at the status of domestic servants, Macmillan went on in the following editions to write about married women’s position under the Bill, arguing that the situation here was ‘complicated’ because of the Bill’s unclear wording.¹⁹⁵ Her final article, ‘Societies for Women under the Insurance Bill’, expanded on her idea of forming societies for working women to better utilise their insurance benefits.¹⁹⁶ It made clear that she still had misgivings about the Bill, but as ‘it is now too late’ to change the legislation, she offered ways in which working women could best use the law to their financial advantage.¹⁹⁷

Not restricting herself to critiquing prospective laws, in the 19 October 1911 edition of *The Common Cause* Macmillan undertook a detailed analysis of the law of inheritance as it applied to married persons. She clearly explained the current state of the law as it applied both in cases of intestacy and where there was a will, and the differences between English and Scottish law. This was an issue close to Macmillan’s heart since her mother, Jessie, had died intestate and the distribution of her property was affected by her position as a Scottish wife. In her analysis, she stated that ‘the Scotswoman is in a very inferior position to her English ‘sister’, as a Scottish woman cannot leave her capital to someone unless she has her husband’s consent’.¹⁹⁸

¹⁹⁴ ‘Domestic Servants and the Insurance Bill’, *The Common Cause*, 30 November 1911, p. 588.

¹⁹⁵ ‘Married Women in the Insurance Bill’, *The Common Cause*, 7 December 1911, p. 613.

¹⁹⁶ ‘Societies for Women under the Insurance Bill’, *The Common Cause*, 14 December 1911, p. 630.

¹⁹⁷ *Ibid.*

¹⁹⁸ ‘The Laws of Inheritance of Married Persons’, *The Common Cause*, 19 October 1911, p. 477.

In the following edition of the paper, Charles Woodward Pidduck, a Manchester-based solicitor,¹⁹⁹ replied to Macmillan's article. He described the article as 'able' and 'likely to prove of great utility to many.'²⁰⁰ The fact that Macmillan was engaging legal professionals with her analysis, prior to any legal training, testifies to her interest in law. Macmillan responded to Pidduck's letter, answering each of the criticisms he made of her article. One pertinent point she made was regarding 'landed property'. In his response to her original article, Mr Pidduck stated that 'landed property includes houses and other buildings on land, but does not include land or buildings where the deceased owner held them on a lease, even though the term may be a very long one.'²⁰¹ Therefore, he was implying that using this term in her article did not fully define the law. Countering this, Macmillan stated that 'the definition was omitted partly because it is rather complicated, and partly because the article tended to be too long.'²⁰² This is an important point to make; Macmillan was clearly not ignorant of the intricacies of English inheritance law, and Pidduck's well-intentioned critique missed the point of the article in the first place—to explain to the readers of *The Common Cause*, who might feasibly be in such a position, what the law was, in a clear and understandable manner. The minute complexities of the law were not the most important factor, and actually, as Macmillan clearly suggested, it was this complexity which could often lead to confusion among laypeople, especially women, who at the time had no vote and no female representatives in Parliament, and therefore, no power to influence the law in the same way men did.

Apart from writing educational guides and critiques of existing legislation with regard to the position of women under the law, Macmillan's legal activism was still

¹⁹⁹ 'Re Charles Woodward Pidduck', *The London Gazette*, 9 November 1928, p. 7338.

²⁰⁰ 'The Laws of Inheritance of Married Persons', *The Common Cause*, 26 October 1911, p. 505.

²⁰¹ *Ibid.*

²⁰² 'The Laws of Inheritance of Married Persons', *The Common Cause*, 9 November 1911, p. 543.

intricately linked to suffragism. She wrote a letter to *The Times* on the ‘legal interpretation of the word “male”’ which was not published.²⁰³ Evidently not content with her letter remaining unpublished, Macmillan expanded on this topic in *The Common Cause*, refuting strongly the idea that removing the term “male” in the wording of the Franchise Acts would automatically enfranchise women. Instead she stated ‘such views...can only be expressed by those who are ignorant, either of the principles universally applied by the law courts in the interpretation of Acts of Parliament, or of decisions already given as to the interpretation of Franchise Acts.’²⁰⁴ Macmillan was well versed in such legal interpretations, having unsuccessfully attempted such a subtle change of the law in her appeal to the House of Lords. She warned against those who thought such a change would confer the franchise, stating ‘it will do no more than make it possible to discuss in what form special provision shall be made for enfranchising women.’²⁰⁵ This shows a substantial evolution in her thinking from her appearance in the House of Lords in 1908, where she argued that a similar unintentional enfranchisement of women had already occurred. By 1913, Macmillan was convinced that an Act of Parliament that purposively aimed to enfranchise women was the only resolution to the suffrage issue. This also implies a lack of confidence in the judgments of the judiciary.

Her speeches on law also evolved during this period. While she had always been vocal on women and the law, speaking on that subject at the Summer School for Suffragists in August 1912, by 1913 her speeches increasingly focused on the opening of the legal profession to women. In May 1913 she chaired a meeting at the Lyceum Club given in honour ‘of the budding Portias who are desirous of entering the legal profession.’²⁰⁶ Interestingly this focus on women lawyers occurred at a similar time to *Bebb v The Law Society*, in which four women litigants who wished to become solicitors argued that the Law

²⁰³ ‘Press Department’, *The Common Cause*, 20 December 1912, p. 642.

²⁰⁴ ‘Woman Suffrage Amendments’, *The Common Cause*, 3 January 1913, p. 670.

²⁰⁵ *Ibid.*

²⁰⁶ ‘Women as “Men of the Law”’, *The Manchester Courier*, 7 March 1913, p. 7.

Society should admit women to their preliminary examinations.²⁰⁷ One aspect of the argument in *Bebb* was that a woman was a ‘person’ under the Solicitors Act 1843, a strikingly similar argument to the one used in the many attempts to use the Courts to grant women suffrage, including Macmillan’s House of Lords case. Although the *Bebb* case failed in its objectives, there was an increased awareness of aspiring women professionals, particularly lawyers, at this time. In an article on law in *Jus Suffragii*, detailing women’s employment opportunities in various countries, Macmillan was mentioned as having ‘pleaded [her] own cause in courts.’²⁰⁸ Shortly afterwards, at the National Union of Women Workers, Macmillan moved a resolution ‘in favour of opening the legal profession to women’ alongside Miss Agnes Garrett.²⁰⁹ Macmillan’s shift towards the legal profession is clear in this, and suggests that she was considering a career in law many years before the profession was opened to women.

In light of this, it should come as no surprise that Macmillan linked her increasingly overt wish for women lawyers with her criticism of sexist legislation. Dr Chapple MP proposed an amendment to the Criminal Justice Administration Bill in 1914 that would give judges and magistrates the power to clear the court in cases of sexual assault and attempted sexual assault against women, prostitution offences, and any proceedings under the Bastardy Act. Macmillan criticised such an amendment, stating that ‘at present the laws are made and administrated by men only; there are no women lawyers for other women to consult professionally.’²¹⁰ She detailed the common law on the power of judges to eject members of the public from a court, and stated ‘this amendment of Dr. Chapple’s would place a very

²⁰⁷ *Bebb v Law Society* (1913) 29 *Law Times Reports* 634, [1913] 109 LTR 36. See: Auchmuty, Rosemary, ‘Whatever Happened to Miss Bebb? *Bebb v The Law Society* and Women’s Legal History’, *Legal Studies*, 31.2 (2011), 199–230 for a fuller exploration of this case.

²⁰⁸ Costelloe Karin, ‘Law’ *Jus Suffragii*, 1 October 1913, p. 5.

²⁰⁹ ‘The National Union of Women Workers’, *The Common Cause*, 10 October 1913, p. 1.

²¹⁰ ‘The Foundations of Freedom Slipping in the Sand’, *The Common Cause*, 3 July 1914, p. 269.

great restriction on the present rights of women to attend court proceedings in matters vitally affecting them.’²¹¹ Macmillan’s article was further highlighted in the ‘Notes and Commons’ section of *The Common Cause*, which stated that her ‘wide legal knowledge gives her words weight.’²¹² Her reputation as a legal expert was cemented by this point, allowing her to lay the foundations of her professional identity long before she became a lawyer.

Macmillan was therefore a key member of the NUWSS in the years running up to World War One—arguably the time at which the suffrage campaign was at its most prominent. She was particularly prominent as a local activist in Scotland, and by talking to often isolated Scottish communities, she was vital in the NUWSS’s efforts to create and maintain grassroots knowledge and support of the suffrage question throughout the UK. However, her evident devotion to international feminist organisations suggests that her activism was far from insular. Macmillan recognised the importance of working alongside politically active women and men from across the world. In addition to this, her quiet commitment to her role on the executive committee suggests that despite her heavy national and international workload, Macmillan was key to the decision-making of the NUWSS. Therefore, she was able to keep her finger on the pulse of what was happening at an organisational level, in addition to her activism. And throughout this period, Macmillan’s skill set, and acknowledged expertise in the law, developed into an activist focus on the inequalities women faced under the law. This allowed Macmillan a chance to broaden her feminism beyond suffrage, while still relying on enfranchisement as a solid foundation for her activism.

²¹¹ *Ibid.*

²¹² ‘Notes and Common’, *The Common Cause*, 3 July 1914, p. 267.

Conclusion

Although Bowerman and Macmillan were clearly both passionate supporters of extending the parliamentary vote to women, the differences in their activism extended far beyond their membership of the two most prominent suffrage organisations in the country. Bowerman conducted her activism on a much smaller scale—it was local in nature, and much of her work involved persuading individuals to support the cause. In this way, she was able to continue her activism alongside her education. In contrast to this, Macmillan was at the epicentre of the NUWSS leadership, and her activism was more overarching: the creation of local suffrage societies, and therefore networks of suffrage support across the country, was key to her activism. However, her work went far beyond this, both in terms of geography and in her conception of feminist legal activism. Her transnational activism provided Macmillan with a far greater number of supporters that stretched across many countries, and her analysis of women's inequalities under the law exposed the wider feminist aims of the suffrage movement.

Bowerman similarly transitioned her activism in her final year at Girton, moving towards a more formal style that was in some ways similar to Macmillan's. This is not to say that their approaches were indistinguishable. Macmillan and Bowerman approached the suffrage campaign differently, but both worked hard to establish support for the cause and, in doing so, laid down the foundation for a political activist identity that was to last them both a lifetime. The increased professionalism of their activism also revealed the close connections between the political and the professional in both women's lives. By pursuing careers in a sphere that was almost exclusively male, their professional identity was necessarily political. Similarly, to fully engage with the political mechanisms of Westminster, suffrage activists needed to present the cause in an attractive, professional way in order to gain as much support from the public and politicians as possible. Accordingly, both burgeoning identities were closely interlinked, and at points interchangeable. Despite this, both women approached their activism from distinctly different points of political

ideology. As the next chapter explores, these differences would be highlighted in their responses to the worldwide conflict that broke out in August 1914.

Chapter Three Pacifism and Patriotism: Bowerman and Macmillan's Different

Responses to World War One

Britain's entry into World War One in August 1914 had immediate ramifications for English women. The subsequent war has been characterised as a transformative period for women, and both contemporary opinion and some later histories have attributed the partial enfranchisement of women in 1918 to the actions and work of women throughout the conflict; although more recent academic work has posited a more complex picture that instead suggests that the pre-war work of the suffragists and suffragettes had a substantial impact on women's enfranchisement.¹ This thesis seeks to add to this complexity by analysing the professional and political developments Macmillan and Bowerman underwent during the conflict. The war itself has been perceived as an abrupt dislocation from the Edwardian era, epitomised by the balmy summer weather of 1914, in contrast with the winter of the Western Front.² This nostalgia-tinged view of Edwardian England ignores widespread social issues, the most prominent being suffragette militancy, trade union strikes and the hotly debated Irish Home Rule question.

In fact, there was a continuation between pre-war and wartime feminism. Nicoletta F. Gullace points out that most suffrage histories end the campaign in 1914, neglecting both the work of the feminist organisations during the war and the legislation that actually granted enfranchisement.³ By failing to include the war years, such histories also do not assess the

¹ See: Fawcett, Millicent, *The Women's Victory and After*, (Cambridge: Cambridge University Press, 2011), p. 106.; Strachey, *The Cause*; Thomas, Gill, *Life on All Fronts: Women in the First World War* (Cambridge: Cambridge University Press, 1989), Mitchell, David, *Women on the Warpath: The Story of the Women of the First World War* (London: Jonathan Cape, 1966), p. 389.; House of Commons, *House of Commons Debate* (28 March 1917, vol 92 cc462-524) < <https://api.parliament.uk/historic-hansard/commons/1917/mar/28/mr-speakers-services>> .

² See Hynes, Samuel, *A War Imagined: The First World War and English Culture* (London: Pimlico, 1992) for exploration of this concept.

³ Gullace, Nicoletta F, *"The Blood of Our Sons": Men, Women and the Renegotiation of British Citizenship During the Great War* (London: Palgrave Macmillan, 2004), p. 4.

impact of suffrage organisations on the thorny issue of franchise reform in 1917 and 1918. Feminist campaigners were instrumental in lobbying for the inclusion of women in the Representation of the People Act 1918. Despite this lobbying, the Act explicitly excluded women under 30 and those who did not meet necessary property qualifications, precluding a substantial number of war workers as well as the young and the working class. These women were therefore considered ineligible to partake in one of the most fundamental functions of the political sphere, namely electing representatives to Parliament. Such an exclusionary decision by the legislature suggests an attempted diminishing of these women; they were not deemed responsible enough to vote.

The restrictions on the extension of the franchise suggested that the political elite did not even consider that these women could have a valid political identity, let alone exercise it. The failure to recognise the political identities of women under 30, war workers and working-class women mirrored a failure to accord them professional identities. Many war workers faced the double burden of entering male-dominated professions and supposedly diluting them in the process. Young women were often patronisingly characterised as ‘flappers’, and if they were also war workers, derided as khaki-chasers.⁴ Working-class women, due to their class, were often treated with contempt. The franchise restrictions directly affected Bowerman, as in the 1918 election she was ineligible to vote because she was under 30, despite being a war volunteer and a suffrage activist. This rendered her, in the eyes of the political establishment, unable to construct either a political or a professional activist identity. In the development of herself as a political activist and a professional, Bowerman had to contend with stubborn gendered associations which did not simply go away when some women became enfranchised in 1918.

⁴ Watson, Janet S. K., ‘Khaki Girls, VADs, and Tommy’s Sisters: Gender and Class in First World War Britain’, *The International History Review*, 19.1 (1997), 32–51.

Therefore, the idea that there was a direct causal link between women's war work and women's suffrage is far too simplistic. However, what is clear is that the outbreak of hostilities gave more women hitherto atypical opportunities 'to use their abilities and to be of use.'⁵ While this is a remarkably wide and somewhat vague statement, it is necessarily so to account for the breadth of the work women undertook. With thousands of able-bodied men called up to the front line, many women entered jobs previously confined to men for the first time: they worked in munitions, agriculture, engineering and other traditionally 'masculine' industries during the conflict. Claire Tylee argues that women saw the war 'as the opportunity to demonstrate what womanhood was.'⁶ There was a continuation of the feminist goals of the first-wave women's movement, proving women's capabilities for work during hostilities. Middle-class, educated women like Macmillan and Bowerman had far more choice in their war work than their working-class counterparts, mainly because of their education, financial stability, and connections to the establishment: as Deborah Thom has persuasively argued, 'the cultural significance of the war was very different for women of the working class.'⁷

The traditional histories of the Great War were androcentric in focus, epitomised by a focus upon trench warfare and famous soldier poets such as Siegfried Sassoon and Wilfred Owen.⁸ Such a focus suggests a huge gulf between the front line and the home front and a similar gulf between women, at home, and men, at the war.⁹ It is in these histories that

⁵ Gilbert, Sandra, 'Soldier's Heart: Literary Men, Literary Women and the Great War', in Higonnet, M.R., Jenson, J., and Michel, S. and Collins Weitz, M. (eds), *Behind the Lines, Gender and the Two World Wars*, (Yale: Yale University Press, 1987), p. 216.

⁶ Tylee, C. M., *Great War and Women's Consciousness* (London: Macmillan, 1990), p. 37.

⁷ Thom, Deborah, *Nice Girls and Rude Girls: Women Workers in World War 1*, (London: I.B. Tauris and Co Ltd, 1998) p. 10.

⁸ For examples see: Mosse, George L., *Fallen Soldiers: Reshaping the Memory of the World Wars* (Oxford: Oxford University Press, 1990), p. 70 – 107, and Ferro, Marc, *The Great War 1914-1918* (Great Britain: ARK Paperbacks, 1973).

⁹ Fussell, Paul, *The Great War and Modern Memory* (Oxford: Oxford University Press, 1975), p. 87.

Samuel Hynes identifies the ‘Myth of the War.’¹⁰ This was the idea that idealistic and patriotic young men were sent off to war by ‘Old Men’ in 1914, but by 1916 these young men had become disillusioned by the violence and loss of life, and they returned to England with their views on war and society transformed.¹¹

Women, by definition not party to this violence, were necessarily excluded by such a narrative, and ‘the concentration on the personal histories of young soldiers ... has given support to the idea that war is a men’s affair.’¹² This gendered analysis has essentialised overtones, reinforcing the idea of brave, patriotic soldiers at the front versus passive, peace-loving women at home. Such stereotypes were not new; they were bound up in Victorian ideals of ‘the lady’, and also in arguments against women being active politically or joining the professions. However, the advent of war buttressed these assumptions. In a time of great upheaval and uncertainty, it was comforting for many to return to these cultural traditions, and many early histories supported this narrative. However, popular histories focused on women did eventually appear,¹³ as did academic work by feminist scholars.¹⁴ These studies exposed a myriad of women’s experience of war and introduced pioneering theoretical stances that investigated concepts such as lived experiences versus the construction of wartime memories.

This context of popular and academic ideas about the Great War is important in understanding the individual wartime experiences of Elsie Bowerman and Chrystal

¹⁰ Hynes, *A War Imagined*, p. 81.

¹¹ *Ibid.*, p. 248.

¹² Tylee, C.M. *Great War and Women’s Consciousness*, p. 188.

¹³ See Marwick, Arthur *Women at War 1914 - 1918* (United Kingdom: Fontana Paperbacks, 1977) and Mitchell, David, *Women on the Warpath*.

¹⁴ See: Tylee, C.M. *Great War and Women’s Consciousness*; Watson, Janet, *Fighting Different Wars: Experience, Memory, and the First World War in Britain* (Cambridge University Press, 2004); Gullace, *The Blood of Our Sons*; and Ouditt, Sharon, *Fighting Forces, Writing Women: Identity and Ideology in the First World War* (London: Routledge, 1993).

Macmillan. Although both were privileged in class and education, they chose starkly different pathways that reflected their political leanings and their attitude towards war.

Bowerman's wartime experience, as an orderly in an overseas hospital unit, is closely associated with nursing, 'the quintessential feminine war service.'¹⁵ Traditionally 'feminine' qualities that were often emphasised in mothers, such as caring and ministering to the sick, were also present in the ideal nurse.¹⁶ Government-issued propaganda posters frequently portrayed nurses as symbolically 'mother' figures, and although only a statistically small number of women (who were usually middle-class, financially stable and single) actually worked as nurses during the war, the image of the World War One nurse has entered our collective cultural consciousness. This collective consciousness has been bolstered by 'the enduring popularity' of books such as *Testament of Youth* by Vera Brittain and *Nurse at the Russian Front* by Florence Farmborough.¹⁷

Bowerman's status as nurse-adjutant, occupying a quintessentially feminine wartime role, is in direct contrast to her pre-war political leanings and activism in the WSPU. This abrupt change reflected the Pankhursts' dramatic reversal in strategy at the outbreak of war. Such a change showcased an important political skill: the ability to adjust quickly to a new political climate. Bowerman would have been aware of the propaganda opportunities of volunteering for a dangerous overseas position. The stress placed on the 'femininity' of volunteer women-only medical organisations was an important aspect of this; the Pankhursts, and the wider WSPU, had always placed importance on women remaining feminine during the suffrage campaign in order to counteract media caricatures of the man-hating suffrage supporter. The continuity of such an identity was integral to promoting the

¹⁵ Darrow, Margaret H. 'French Volunteer Nursing and the Myth of War Experience in World War I', *The American Historical Review*, 101.1 (1996), 80–106. (p. 89.).

¹⁶ Albrinck, Meg, 'Borderline Women: Gender Confusion in Vera Brittain's and Evadne Price's War Narratives', *Narrative*, 6.3 (1998), 271–91. (p. 274.).

¹⁷ Hallett, Christine E., 'The Personal Writings of First World War Nurses: A Study of the Interplay of Authorial Intention and Scholarly Interpretation.', *Nursing Inquiry*, 14.4, (2007) 320–29. (p. 320.).

WSPU's change in tactics and new allegiance to the government, and also in proving the fluidity of their supporters' political identities. For Bowerman, such a contrasting role to her pre-war activism provided a transition towards a societally acceptable professional identity.

In contrast to Bowerman, Macmillan spent the war campaigning for peace, working closely within a network of international feminist pacifists to establish her reformist ideals as a viable political manifesto. For Macmillan, reformism encompassed her wish to adapt the current political institutions to better reflect the feminist and liberal ideology she believed in. Her work during the war and afterwards was reflective of such a position. She was one of three British women present at the Women's Peace Congress at the Hague in 1915, and thereafter travelled throughout Europe and the USA to persuade political leaders to set up a neutral conference for mediation between belligerent countries.

Despite this, she remained a member of the executive of the NUWSS, even after the well-documented split that led to many prominent pro-peace campaigners, such as Katherine Marshall and Katherine Courtney, resigning.¹⁸ While much has been written on the tensions and subsequent split between pacifists and those who supported the war within the NUWSS executive during World War One, there has been an absence of analysis of Macmillan's unique position throughout this time. Instead of being ousted, Macmillan stayed within an organisation that was, at times, in antithesis to her personal views on the war. This was a shrewd political strategy that allowed her to maintain connections severed by other pacifists. Such a strategy implies that a crucial aspect of Macmillan's political identity was adaptability—she was able to work with people who did not agree with her on the fundamental question of the necessity of war. The need to behave in this way in such a tense situation is a crucial component of professionalism: the ability to dislocate the personal from the public. This demonstrates the interconnectivity and overlap between political activism

¹⁸ See Vellacott, Jo, *Pacifists, Patriots and the Vote: The Erosion of Democratic Suffragism in Britain During the First World War* (London: Palgrave Macmillan, 2007).

and professional identity. Macmillan's wartime activism was multifaceted and extensive, and consequently, I have chosen to focus on the work she undertook which has not already been brought to light by independent researchers Helen Kay and Rose Pipes.¹⁹ Kay and Pipes discuss Macmillan's role in the Association for Moral and Social Hygiene and National Union of Women Workers.

Despite contrasting approaches, both Macmillan and Bowerman used the war to further their political activism and develop their feminist networks. This chapter will account for how they did this, as well as explain how their wartime experiences contributed to the enactment of professionalism rooted in political activism. Bowerman's patriotic pro-war stance was bolstered by her commitment to the Scottish Women's Hospitals. This was a clear and physical demonstration of women's capability to serve the country when it was in need, in fulfilment of Millicent Fawcett's demand at the outbreak of hostilities: 'Let us show ourselves worthy of citizenship, whether our claim to it be recognized or not.'²⁰ It also provided Bowerman with an opportunity to work in very challenging circumstances, among women doctors and nurses who were striving for professional recognition. This chapter will show how being among others who were negotiating their own contested professional identities contributed to the development of Bowerman's professionalism. In particular, women medical professionals demonstrated the importance of forming a professional identity that was acceptable to conventional society. In contrast to Bowerman's nationalistic feminism, Macmillan passionately campaigned for an end to hostilities throughout the war. In doing so, she negotiated a difficult balance, maintaining her pacifist ideals within an

¹⁹ For example, Macmillan was a key member of the National Union of Women Workers (NUWW) Legislation Committee and was on the Executive Committee of the Association of Moral and Social Hygiene (AMSH), working on several campaigns during the war to alleviate legislative inequality for women. See: Kay, Helen, and Rose Pipes, 'Kay, Helen, and Rose Pipes, 'Chrystal Macmillan, Scottish Campaigner for Women's Equality through Law Reform', *Women's History Review*, 29.4 (2020), 716-73 for a fuller discussion of this activism.

²⁰ Strachey, *The Cause*, p. 338.

organisation that was distinctly pro-war. Macmillan developed sophisticated political strategies that furthered her goals for peace, while also maintaining a professional relationship with those with whom she disagreed.

Elsie Bowerman: Patriotic Feminism as a Foundation for Professional Identity

Elsie Bowerman probably began the war working as a WSPU organiser. By 1916, she was still working closely with Emmeline and Christabel Pankhurst, helping to organise The Women's War Procession in London that July, indicating Bowerman's continuing support for the WSPU after their political about-turn for support of the government at the outbreak of hostilities. However, it was her work as an orderly with the Scottish Women's Hospitals (SWH) from 1916-1917 that became the defining feature of her war experience.

The Scottish Women's Hospitals for Foreign Service was one of several medical units formed on the outbreak of war. These units were designed to assist soldiers and civilians affected by the hostilities in areas close to the front line. However, from the outset, the SWH differed substantially from other such organisations. The SWH was formed when Doctor Elsie Inglis, a prominent doctor and the founder of the SWH, approached the War Office to offer her services, but instead was told to 'go home and sit still.'²¹ Doctor Inglis was not dissuaded by this rejection, and in order to make the SWH a reality, approached other Allied countries who responded more positively to her offer. The SWH was unique in two senses: firstly, it was funded by the NUWSS, and secondly, it was staffed almost entirely by women.

Much has been written about the role of volunteer nurses in WW1. Accordingly, a considerable amount of the academic literature on WW1 medical women, and in particular the SWH units, has focused on the nursing staff, despite there being a wide network of women doctors, ambulance drivers, orderlies and administration staff which supported the

²¹ Strachey, *The Cause*, p. 338.

nurses in their work. The identification of nurses as the epitome of women doing war work in WW1 reflects essentialised and misogynistic assumptions about women: nurses were acceptable because their work drew upon characteristics traditionally associated with femininity. The caring, mothering attributes associated with nurses were therefore consistent with cultural expectations of women. Other roles within the SWH were less societally acceptable. The notion of women's wartime roles being essentialised did not extend to those women who were occupying prestigious professional positions usually reserved for men, such as doctors, or doing work traditionally constructed as masculine, like drivers.

However, there was some similarity between the experiences of nurses and orderlies, and as a result, the academic literature on nurses will be employed in the analysis of Bowerman's experiences in WW1. As Christine Hallett observes, nurses' experiences in the Great War were not homogeneous; they were highly dependent on many factors, including their location and time of service.²² Hallett argues that they were placed in a 'unique position', due to their proximity to the violence of the war and their first-hand experiences of the impact of this violence.²³ Indeed, many nurses often identified themselves as the female counterpart to soldiers, and this analogy has been repeated in subsequent histories.²⁴ However, there was a tension involved in this comparison. In their work as nurses, women were simultaneously performing an explicitly feminine role that was considered suitable for their sex, while also transgressing into the male sphere of war, both in their closeness to the realm of action and in their witnessing of the soldiers' injuries. Nurses operated in a kind of no man's land, both fulfilling and infringing their acceptable feminine roles. This infringement was made possible by the privilege of their middle-class background and

²² Hallett, *The Personal Writings of First World War Nurses*, (p. 322.).

²³ *Ibid.*

²⁴ See: Watson, Janet S. K., 'War in the Wards: The Social Construction of Medical Work in First World War Britain', *Journal of British Studies*, 41.4 (2002), 484–510. (p. 486.); Darrow, Margaret H., 'French Volunteer Nursing and the Myth of War Experience in World War I', *The American Historical Review*, 101.1 (1996), 80–106. (p. 101.).

financial security. However, members of nursing units who were not nurses, such as the orderlies and ambulance drivers, went further in their transgressions because they were not performing traditionally feminine duties.

This narrow idea of acceptable roles for women had essentialised motifs, and was an issue that many women pursuing peacetime professional careers faced repeatedly. Some professions were seen as more acceptable for women than others. For example, aspiring women doctors could co-opt essentialised feminine characteristics of caring and mothering in order to argue for their admission to the medical profession, arguing that women could be doctors because the role encompassed aspects considered innate to womanhood.²⁵ This was more difficult to do in other professions, such as law, which prioritised assertiveness, legal knowledge and public advocacy, all considered masculine attributes.

In contrast to the nurses, orderlies' duties involved transferring patients to and from beds and providing general physical assistance to the medical professionals. Working as an orderly, Bowerman gained experience in a role where her duties did not rely on essentialised notions of womanhood, experience that would become crucial in navigating the legal profession. Nevertheless, Bowerman sought to counter the perception that she, as an orderly, was less feminine than the nurses she worked alongside. She asked her mother to send her corsets in Russia, and this suggests that although, as Meg Albrinck states, 'living near the front makes traditional scripts of femininity more difficult to perform', Bowerman was determined to conform to certain standards of dress.²⁶ This wish to appear feminine could have been a vestige of the pressure from the leaders of the WSPU to be fashionable and attractive, in order to counteract the negative press representations of the suffragettes. However, it may also have been a strategy to recapture her identity as a woman while doing a job not considered entirely appropriate for women. As a result, Bowerman's identity at this

²⁵ Blake, Caroline, *The Charge of the Parasols: Women's Entry to the Medical Profession* (London: Women's Press, 1990), p. 112.

²⁶ Albrinck, Meg., *Borderline Women*, (p. 280.).

time was complex and consistently shifting, but what seemed to be clear was the importance to Bowerman, and the WSPU at large, of potentially using her identity as a suffrage-supporting volunteer war worker for political fodder.

Bowerman left four different records of her time at the SWH, each written for a different audience, and at broadly different times. These extensive reminiscences each give a vivid and detailed account of her feelings during a significant period for both Bowerman as an individual, and Europe at large. She was working long hours in a highly stressful and fraught environment with large numbers of injured men, very close to the front line, an experience that had a deep impact on her psyche. The most immediate account was her almost daily diary, which was eventually typed up. At the same time, Bowerman was also writing letters to her mother a couple of times a week, although due to the posting restrictions many of these were delayed, or never received. These letters revealed a different facet of Elsie's experience: she often wrote private messages to her mother that she specified were not to be passed on. However, she also concealed or downplayed events to spare her mother anxieties.²⁷ Many years later, Bowerman wrote of her time in the SWH to historian David Mitchell, and she also wrote briefly about the SWH in her unpublished memoir. With such a wealth of information on a relatively short time in Bowerman's life, her records and experiences reveal a hugely challenging period fraught with danger and uncertainty. It also begs the question of why she wrote so much on this period in her life, especially in comparison to her time at the Bar.

The canon of writing on, or about, the Great War has traditionally been dominated by the soldier poets, and this has 'ensured that their critique of women's behaviour in the war became part of the war's official discourse on women.'²⁸ However, this focus has been

²⁷ 'Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916' (London), London School of Economics, The Women's Library, 7ELB.

²⁸ Albrinck, Meg, *Borderline Women*, (p. 276.) Albrinck explored the instability of sense of self for women during the war as non-combatants.

somewhat abated by the popularity of war memoirs by women such as Vera Brittain, who volunteered as a Voluntary Aid Detachment nurse (VAD) and later wrote a highly popular memoir of her experiences, *Testament of Youth*. Although she, and other women war writers, offered a different gender perspective from the soldier poets, they also wrote from a position of class privilege. As Samuel Hynes has stated, much of the war writing comes from the middle class: ‘the class that keeps diaries and journals and considers that the preservation of one’s daily life is an appropriate and interesting activity for an individual.’²⁹ Middle-class women war writers dominate our historical narratives.

Gender, class and the impact of war interacted with each other in numerous ways. For example, middle-class women had strict expectations of peacetime conduct in order to maintain propriety. Such expectations were stripped away when they became war workers, and their roles often encompassed close contact with soldiers, treating horrific injuries and illnesses, and dangerous work shifts. As for working-class women, although many were able to leave domestic service and enter previously male-dominated factory work to make war supplies, they were often scorned as khaki-chasers and denigrated for revelling in their higher wages and the newfound freedom their jobs provided.

Bowerman’s writings fit neatly alongside those of Vera Brittain’s as she also was an educated, middle-class woman volunteering in a medical unit. There are common themes throughout many WW1 memoirs: ‘the extolling of sacrifice, the acceptance of grief, the impulse to memorialize.’³⁰ Albrinck argues that, in writing down their experiences, women participants in the war distanced themselves from other, “‘silent women’” and instead ‘[aligned] their discussion of war with those of the soldier poets.’³¹ This suggests that women nurses transgressed certain gender scripts, not only in their duties, but in the recording of

²⁹ Hynes, *A War Imagined*, p. 32.

³⁰ Potter, Jane, *Boys in Khaki, Girls in Print: Women’s Literary Responses to The Great War 1914-1918* (Oxford: Clarendon Press, 2005), p. 222.

³¹ Albrinck, Meg, *Borderline Women*, (p. 282.).

their experiences, and that through this writing they further identified themselves with the male soldier. Carol Acton states that ‘much war writing by women consciously negotiates the space between the women’s experience as a non-combatant and the man’s combatant experience of war.’³² This statement represents the crucial difference between women’s and men’s experience of the war: that of a combatant versus non-combatant.

This implies that, however much nurses and orderlies identified themselves with soldiers, their experience of the war was distinctly gendered because of the difference in their role. It also suggests a certain melding in the conception of women’s identities: by identifying themselves as similar to soldiers, they began the formation of a professional identity, one that was intrinsically linked to their war service. The appropriation of these masculine traits by women war volunteers also lent itself to the development of professionalism; both the creation of a professional identity and the identification with soldiers transgressed cultural expectations, giving women such as Bowerman extensive experience in breaching conventions, a skill that would become valuable in her later role as a lawyer. It also distanced them from the ‘hero versus shirker’ narrative prominent within Britain at the time, a narrative that implicitly characterised men as heroes and women as people to be saved.³³ This oversimplified the more textured reality of the war; not everyone participated in such binary distinctions. However, such a narrative was bound up in the mobilisation of nationalism at a time of war, as well as a determination of which people deserved inclusion within this collective atmosphere. Again, this demonstrated that professionalism and political ideology are both bound together to establish ‘correct’, societally acceptable modes of behaviour.

³² Acton, Carol, ‘Diverting the Gaze: The Unseen Text in Women’s War Writing’, *College Literature*, 31.2 (2004), 53–79. (p. 56.).

³³ See: Gullace, Nicoletta F., ‘White Feathers and Wounded Men: Female Patriotism and the Memory of the Great War’, *Journal of British Studies*, 36.2 (1997), 178–206.

Taking her accounts at face value, Bowerman presents her time in Russia as ‘a truly romantic adventure.’³⁴ She describes it as a ‘most thrilling experience[s],’³⁵ and when referring to a retreat back from the front line that she took part in, states that ‘the adventures of the Unit during this and other retreats were worthy of a Stanley Weyman novel.’³⁶ In this sense, Bowerman’s recollections of her war work sometimes read like a novel, with her and her fellow orderlies cast as the heroines. Tylee argues that this style of writing was ‘inevitable’—the canon of Edwardian’s children’s literature featuring dangerous boyhood adventures made it almost certain that ‘women of courage should think of fulfilment as coming from doing whatever men did.’³⁷ In this sense, Bowerman imbued herself, and her fellow SWH members, with a mythical sense of heroism drawn from English literature.³⁸

References to the war and wounded do appear, although sparsely, and are often juxtaposed with innocuous details in a rather jarring fashion: ‘Aeroplane duel just outside the door – glorious day – but shells didn’t hit – enemy escaped.’³⁹ A superficial reading of Bowerman’s writings both during and after the war suggests that she was uninterested in the patients for whom she helped care, and the wider ramifications of the impact of war. However, there are also highly emotional passages—particularly in her diary—where she clearly expresses distress and worry for the wounded and for the refugees that she frequently encountered in their desperate attempt to flee from the approaching front line. Taken together, this suggests that the more light-hearted of Bowerman’s writings were a product of her disassociating to cope with the trauma of her war work, or an effort to conform to the

³⁴ ‘Elsie Bowerman Statement’ (London), Museum of London Library, David Mitchell Collection.

³⁵ ‘Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916’ (London), London School of Economics, The Women's Library, 7ELB.

³⁶ ‘Elsie Bowerman Statement’ (London), Museum of London Library, David Mitchell Collection. Stanley Weyman, although now largely unknown, was a popular author of historical romance.

³⁷ Tylee, C. M., *Great War and Women’s Consciousness* (Macmillan, 1990), p. 33.

³⁸ *Ibid*, p. 76.

³⁹ ‘SWH diary’ Papers Of Elsie Edith Bowerman.

‘stiff upper lip’ conventions of adventure narratives. On 12 November 1916, she wrote to her mother that ‘It is dreadful to see them when they are refugees though – they all look so utterly helpless and hopeless’⁴⁰, and in her diary in October she recorded that she ‘went on an ambulance – very badly wounded man inside – jolts and bumps on road made one shudder.’⁴¹

Bowerman often connected these worries to how the war was progressing: in her diary she wrote that she sought out Englishmen to discuss the strategies of the Russian and Serbian forces. This demonstrates that she was very engaged with localised military and political actions, and often critiqued military mismoves or bad strategy which, as she saw it, resulted in soldiers being needlessly wounded, or the creation of more refugees. Such an analysis is consistent with Bowerman’s interest in politics, and also implies that this interest did not abruptly end with the advent of war. Indeed, Bowerman’s decision to volunteer as an overseas orderly was a political one, as previously noted: it fit in with the Pankhurst’s wholehearted support of the war. In tandem with her volunteering, Bowerman further developed her political identity throughout the war by seeking out up-to-date wartime developments and taking on the role of an engaged and informed critic of military manoeuvres and wartime policy. In this sense, Bowerman’s feelings towards refugees and wounded soldiers were not divorced from the wider political context of the war, a topic on which she was well informed, even in a remote area where communication with those outside the immediate vicinity was difficult.

There seems to be a disconnection between the violence and immediate danger of the war, and the ‘adventures’ that Elsie experienced: ‘Guns quiet today – glorious weather,’ and ‘glorious weather continues – not many fresh wounded arriving.’⁴² This may have been

⁴⁰ ‘Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916’ (London), London School of Economics, The Women's Library, 7ELB.

⁴¹ ‘SWH diary’ Papers Of Elsie Edith Bowerman.

⁴² ‘SWH diary’ Papers Of Elsie Edith Bowerman.

a coping mechanism to deal with the things she saw. It is clear that she was privy to much suffering; the repeated mention of the sheer number of refugees and injured men she was around testifies to this. On a trip to a cinema in Russia after she departed the SWH, Elsie mentioned seeing a film of the Somme, and commented, ‘most of it taken actually under fire – but much of it too horribly realistic.’⁴³ This poignant comment illustrated that this disconnect was largely superficial and that the violence of the war deeply affected her. This corresponds with critical readings of other women’s texts of the time. Acton suggests that ‘the traumatic experience exists in an unseen, or only partially seen, text.’⁴⁴ This avoidance of addressing trauma directly in the text is particularly clear in Bowerman’s diary, where she was writing primarily for herself and not an audience, although the idea of her writing for historical purposes cannot be disregarded.

In her correspondence with historian David Mitchell in the 1960s, Bowerman stated, ‘my most vivid recollections are of the retreat of the Dobrudja during the autumn of 1916, and of the snowbound winter of 1916/17.’⁴⁵ The circumstances of this retreat were dramatic, and Bowerman played a pivotal role in allowing the SWH hospital to continue its work after the retreat. On 21 October 1916, Bowerman recorded in her diary, ‘Bulgars advancing on east’ and that the hospital was evacuated of patients.⁴⁶ She also detailed her work during the day of taking down and packing up the hospital; ‘finally everything was packed and entrained by 4 a.m. – the whole thing done within 24 hours.’⁴⁷ However, it was on the following day that Bowerman’s instinct and initiative came to the fore. Upon discovering that the wagons containing the hospital’s luggage—essential equipment that the doctors and nurses needed to treat patients—had been attached to a train which had left the station

⁴³ *Ibid.*

⁴⁴ Acton, Carol, ‘Diverting the Gaze: The Unseen Text in Women’s War Writing’, *College Literature*, 31.2 (2004), 53–79. (p. 69.).

⁴⁵ ‘Elsie Bowerman Statement’ (London), Museum of London Library, David Mitchell Collection

⁴⁶ ‘SWH diary’ Papers Of Elsie Edith Bowerman.

⁴⁷ *Ibid.*

without the Unit, Bowerman and another orderly hopped onto another train going in the same direction. She did this unordered, and with ‘Nothing with us but haversacks and greatcoats – fortunately some money.’⁴⁸ They soon located the missing equipment wagon, but spent a further two days travelling with the wagon, ensuring it was not again uncoupled from their train, as well as negotiating with station masters so that Bowerman and her fellow orderly could be reunited with the rest of their unit.

Bowerman wrote about this incident in her typically forthright style, and it fits in with her characterisation of her time in SWH as an adventure. However, it is important to remember the context in which this incident happened—during a retreat as the enemy were advancing, with the threat of bombs and shelling imminent, and alongside many refugees fleeing from their homes. Indeed, Bowerman mentioned that there was ‘general panic and depression among Roumanians.’⁴⁹ With this in mind, it is extraordinary that this young woman had the presence of mind to not only chase after the missing equipment but also ensure that it reached safety with the rest of the unit. This action shows both initiative, and an incredible capability to assert herself in a foreign country in the midst of war.

Upon reading her letters to her mother, another facet of her time in the SWH is made clear, namely Bowerman’s constant concern for her mother’s wellbeing. As has previously been mentioned, the sending and receiving of letters was severely restricted, and this meant that contact between mother and daughter was often infrequent and delayed. Barbara Caine argues that during WW1 ‘letters from daughters tend to be rather more casual than those of soldiers ... they neither document the horror of war ... nor do they give one any sense of the centrality of mothers in the emotional survival of their daughters, as they do of sons.’⁵⁰ This is definitely the case with Bowerman. She frequently downplayed the potential danger she

⁴⁸ *Ibid.*

⁴⁹ *Ibid.*

⁵⁰ Caine, Barbara, ‘From “Dearest Mama” to “Dear Mother”’: Changing Styles in Early Twentieth-Century Letters from Daughters to Mothers’, *Women’s History Review*, 24.4 (2015), 603–20. (p. 611.).

faced in letters to her mother: 'I am also sending a wire in case there was news in the papers [that] may have made you anxious. There is no need to worry at all now as we are quite out of the danger zone.'⁵¹ While Caine suggests that this casualness 'reflects a wider pattern in the relationship between mothers and their children', in Bowerman's case it seems that the inverse of Caine's argument is true: it implies the importance of daughters as central in the emotional wellbeing of mothers.⁵² Bowerman felt acutely the weight of societal expectation of daughters to their parents, and many of her letters home demonstrated this. Such expectations also affected the development of her political and professional identities. Bowerman's work as an orderly was a political statement that demonstrated women's capability as citizens, but her familial duty and the cultural expectations underpinning this constricted her ability to pursue this role.

She repeatedly emphasised that she was safe in further letters: 'if anything were wrong you would be sure to hear immediately from headquarters,' and 'I do hope you weren't very worried about us at the time of the retreat and that my wire reached you safely.'⁵³ Ouditt suggests that a primary motive for women who volunteered as nurses was 'to break away from the constraints of the family house.'⁵⁴ Although Bowerman and her mother enjoyed a close familial relationship, as evidenced by their frequent letters to one another, it is clear that her time in the SWH imbued in her an independence and responsibility that had not been present before. Therefore, 'being trusted simply to act – to take on duties for which experience is lacking ... gave many of these women a sense of their responsibility and their own capability.'⁵⁵ This, along with the geographic proximity of the front line, allowed women to feel a kinship with the soldiers in the trenches. Alongside this kinship,

⁵¹ 'Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916' (London), London School of Economics, The Women's Library, 7ELB.

⁵² Caine, Barbara, 'From "Dearest Mama" to "Dear Mother"', (p. 611.).

⁵³ 'Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916' (London), London School of Economics, The Women's Library, 7ELB.

⁵⁴ Ouditt, *Fighting Forces, Writing Women*, p. 30.

⁵⁵ *Ibid*, p. 32.

women like Bowerman were also able to translate the sense of responsibility inherent in their roles and their stake in the overall conflict into professionalism.

However, there was a clear differentiation between women volunteers and soldiers; women were frequently called back home on account of ‘family relationships and obligations’, an option unavailable to enlisted men.⁵⁶ Indeed, it was this obligation that made Bowerman determined to leave her SWH Unit after her initial six-month engagement was up: ‘hear from Mother that she was fearfully anxious during the retreat etc. Feel a great fraud in consequence but this almost decides me to return home at the end of my six months.’⁵⁷ Although Bowerman clearly identified herself as a professional on a par with the soldiers, and transgressed feminine cultural norms merely by being near the front line, she could not fully escape the restrictions of her gender. This was an issue that she was to face again and again in her professional life: cultural expectations of her as a woman conflicting directly with her professional identity. In contrast to this, Bowerman’s political identity was able to flourish. Her role as a SWH orderly gave her political clout, and further solidified her conservative political beliefs.

Throughout Bowerman’s diary, there are frequent comparisons made between the work the SWH were doing and that of soldiers. Bowerman clearly characterised herself as being a part of the same sphere as those who were fighting: ‘Disembarked from train about 9a.m. – felt just like soldiers back from the front ... it feels odd to be back in real civilisation.’⁵⁸ In this sense, Bowerman was clearly separating her experiences as an orderly from ordinary civilians’ experiences of the war. However, she was also not going so far as to say that she was a soldier, just that she felt like one. This is an important distinction, and a boundary that Bowerman did not transgress in her writings. Such a strategy was one she later employed in her legal career, transgressing some cultural customs so she could appear

⁵⁶ Watson, *Fighting Different Wars*, p. 92.

⁵⁷ ‘SWH diary’ Papers Of Elsie Edith Bowerman.

⁵⁸ *Ibid.*

masculine enough to assimilate in some way with the cohesive culture of the Bar, but not so many that she completely abandoned the feminine characteristics that were crucial in the formation of her feminist political identity. Indeed, on the SWH unit's arrival in Reni, Bowerman described her role of supervising a wagon from a train to a boat as a 'Funny sight to see me marching along like a sort of nursery maid with 12 huge Russian soldiers in the rear.'⁵⁹ Bowerman presented herself as stereotypically feminine in this reminiscence—as the 'nursery maid'—but her actions were masculine in nature. She was 'marching' and clearly in control of the '12 huge Russian soldiers.' Bowerman characterised this as 'funny' because it was alien to her that a woman would present herself in such a militarised and masculine manner, so to reassert her feminine qualities she invoked the traditionally womanly occupation of nursery maid to counteract this. In another of her diary entries, Bowerman criticised Romanian⁶⁰ officers she saw in the streets as having 'powdered faces and manicured nails.'⁶¹ She was clearly feminising these men, and this feminisation was negative. She stated that these officers were 'unwounded ones in immaculate uniforms', implying that they were not fulfilling their masculine duty; they did not have any visible signs of war because they were not injured or dirty, they displayed essentialised feminine characteristics. In her characterisations of these soldiers, Bowerman made it obvious that her conception of war was binary: war is inherently masculine, and non-combatants were implicitly feminine.

In her work as an orderly for the SWH, Bowerman somewhat transcended this binary; she entered the militarised sphere, and as a result she was *like* the soldiers at the front, but not exactly. In such a sphere, masculine traits were idealised, and feminine characteristics seen as a negative. This perception of associating masculinity as positive, and

⁵⁹ *Ibid.*

⁶⁰ During this time period, Romanian was spelt Roumanian. While I will be using this spelling when quoting from Bowerman's writings, I will use the contemporary spelling elsewhere.

⁶¹ *Ibid.*

femininity as negative, can be linked directly to her later career as a lawyer. As a woman entering a predominantly male field, Bowerman, like other early women lawyers, often emphasised masculine traits in order to fit in with the rest of the profession. A common strategy for women lawyers was to appear 'to be like men.'⁶² Although Bowerman campaigned vigorously for gender equality in the course of her activism, to a certain extent she conformed to the widespread cultural belief that lawyers were 'ungendered.'⁶³ However, such an analysis can only be taken so far in Bowerman's case: her professional identity never eclipsed her political identity, and indeed her role as a lawyer was more often than not used to enrich her activism. There was a tension between the cultural devaluation of femininity, which Bowerman somewhat accepted, and the feminist claim that women's qualities were valuable in the political and professional spheres. Themes of militarism can also be found within her activism. Bowerman's conception of herself within war can also be understood somewhat as an extension of the philosophy of the WSPU. Mrs. Pankhurst saw the members as an army, and often referred to herself and her members as soldiers.⁶⁴ Bowerman's experience as one of these foot-soldiers stood her in good stead for this development of her political identity; she also utilised it later in her role as co-founder of the WGE. Bowerman's title as 'Deputy Controller of the Guild'⁶⁵, alongside fellow suffragette Flora 'the General' Drummond as 'Controller-in-Chief', evoked connotations of military ranks.⁶⁶

⁶² Thornton, *Dissonance and Distrust*, p. IX.

⁶³ Mossman, *The First Women Lawyers*, p. 21.

⁶⁴ Pankhurst, E., 2007. Great speeches of the 20th century: Emmeline Pankhurst's Freedom or death. *The Guardian*, [online] Available at: <<https://www.theguardian.com/theguardian/2007/apr/27/greatspeeches>> [Accessed 6 November 2020].

⁶⁵ 'Women's Guild of Empire', *Motherwell Times*, 8 October 1920, p. 3.

⁶⁶ She was referred to as such in numerous newspaper articles, for example: 'Hyderabad', *Lancashire Evening Post*, 4 December 1933, p. 5.; 'The Women's Guild of Empire', *West Lothian Courier*, 8 May 1925, p. 8.; 'British Bad Name For Work', *Liverpool Echo*, 22 October 1927, p. 11.; 'Women to Fight the Communists', *Yorkshire Evening Post*, 16 September 1925, p. 7.

In Janet Lee's discussion of members of the First Aid Nursing Yeomanry (FANY), she suggests that, in their writing about their time in the unit, they had in mind 'the maintenance of a certain organisational image or legend.'⁶⁷ This approach is shared by members of the SWH, and Elsie Bowerman's account of her time in Russia is shot through with almost mythological stories of the heroics of the Unit, and in particular its spiritual leader, Doctor Elsie Inglis. There is a definite shift between her contemporary impressions of Doctor Inglis, written in her diary and in letters to her mother, and her recollections in the 1960s. In her letters to her mother, she described Doctor Inglis in somewhat negative terms, stating 'so far I haven't done anything to incur her wrath!'⁶⁸ This suggested that she was intimidated by the SWH's founder. In contrast, she stated admiringly to David Mitchell that 'Dr. Inglis achieved marvels by simply refusing to take "no" as an answer.'⁶⁹ In this sense, it is clear that Bowerman was well aware of the historical implications of her time in Russia during WW1, and in particular of Elsie Inglis as an archetypal feminine heroine of the war. Bowerman's later recollection also celebrates the trailblazing aspect of Inglis's wartime service. The notion of pioneers was very important to Bowerman's perception of herself, especially in the creation of her professional identity; she often emphasised the firsts that she had achieved in her career. Bowerman knew the historical importance of both her wartime work and her later career as an early women lawyer; her feminist beliefs were a common thread in both these experiences.

Lee argues that many FANY members' 'claim to personal heroism in the military context suggest possibilities for gender transformation and provides an inadvertent feminist

⁶⁷ Lee, Janet, 'Sisterhood at the Front: Friendship, Comradeship, and the Feminine Appropriation of Military Heroism among World War 1 First Aid Nursing Yeomanry (FANY)', *Women's Studies International Forum*, 31 (2008), 16–29. (p. 18.).

⁶⁸ 'Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916' (London), London School of Economics, The Women's Library, 7ELB.

⁶⁹ 'Elsie Bowerman Statement' (London), Museum of London Library, David Mitchell Collection.

message.’⁷⁰ In Bowerman’s case, it seems that this equivalency was far more advertent than in the writings of the FANY members. Bowerman’s background as a WSPU member gave her a thorough grounding in their media strategy, in particular the ability of the Pankhursts to gain maximum exposure for WSPU events and appropriate the media interest to support their feminist politics. Therefore, Bowerman was well aware of the potential connections between women’s war work and the possibility of women’s suffrage legislation. In 1916, the ‘Women’s Right to Work’ procession, organised by the WSPU and financed with a grant from the Minister of Munitions Lloyd George, had highlighted the need for women’s contribution to the war effort. In fact, just before leaving to join the SWH, Bowerman was involved in a subsequent procession in London. The need for ‘remembrance’—an important concept in World War One memory—of the work of the SWH Unit, and the heroism of Doctor Inglis in particular, are clearly hugely important in Bowerman’s recollections, in both her unpublished memories and in her letters to David Mitchell.⁷¹ An important part of these recollections is the identification of Inglis as a feminist trailblazer, an identity which Bowerman later sought to emulate in the creation of her own professional identity.

On her return to England, Bowerman’s travel plans were disrupted by wartime restrictions. She became stranded in Petrograd and witnessed the beginnings of the Russian Revolution. She wrote to her mother that ‘such a wonderfully organised Revolution deserves success.’⁷² Considering Bowerman’s conservative political ideology, and her work after she returned to Britain (she accompanied Christabel Pankhurst and Flora Drummond on their tour of industrial centres to prevent strikes during the war), this suggests that her future opposition to communism may have been influenced by her experiences in Russia.

⁷⁰ Lee, ‘Sisterhood at the Front: Friendship’, (p. 27.).

⁷¹ See Fussell, *The Great War and Modern Memory*.

⁷² ‘Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916’ (London), London School of Economics, The Women's Library, 7ELB.

Bowerman's anti-communist activism was rooted in her first-hand knowledge of not only the political ideology she opposed but the potentiality of revolution.

In summary, Bowerman conceptualised her service in the SWH as a patriotic adventure in the vein of imperialist adventure literature. She clearly identified herself with the soldier, frequently using military imagery and feminising those she critiqued. In this sense, she assumed a kind of quasi-male status that fitted neatly within her conception of feminism, that of a pro-war, pro-empire and pro-government ideology in sync with that of the WSPU, and by extension, the Pankhursts. Accordingly, her adventures in the SWH were presented as a quest in support of conservative feminism and the vote. Despite this continuation of her feminist and activist identity, there was a fundamental shift in Bowerman's sense of her own professionalism during the war. Thrust for the first time into an often dangerous, challenging, and clearly hierarchal work environment where she was among women doctors who were fighting for professional recognition, Bowerman developed her professionalism. Her experiences during the war enabled this because she gained vital experience in working within an environment dominated by feminist women *and* surrounded by men. Close contact with, in particular, women doctors provided a key template for how to infiltrate 'male' professions and gave Bowerman professional role models that she could emulate. Working with injured soldiers, within a militarised context, exposed Bowerman to dealings with men she would not have experienced before 1914: war dramatically reconfigured societal norms of socialisation between men and women. The experience gave Bowerman a firm foundation for her later work as a barrister, where she would have frequent contact with men, both as fellow legal practitioners and as clients.

Chrystal Macmillan and the International Peace Movement

Chrystal Macmillan 'played a particularly significant role in the women's peace movement of the first world war.'⁷³ Her commitment to peace began even prior to Britain entering the conflict on 4 August 1914. On the final day of July, with rumours that war was likely, Macmillan, along with Millicent Fawcett, drew up a manifesto protesting against Britain's potential involvement. In this impassioned plea 'as the mothers of the race', they implored the men of Europe to prevent hostilities and warned that a war would 'set back civilisation.'⁷⁴ Such an imperialist conception of civilisation was consistent with Fawcett's conservative feminist ideology, but seems contrary to Macmillan's earlier, more inclusive beliefs. Consequently, this was probably a strategic statement on Macmillan's part, carefully worded to appeal most to the intended audience of the manifesto: politically powerful men. Instead of war, the manifesto urged for 'conciliation or arbitration.'⁷⁵ This statement, written just before the outbreak of hostilities, clearly indicates Macmillan's knowledge of the possibility of conflict.

Not content with writing down their objections, the two women, along with Hungarian feminist Rosika Schwimmer, took a taxi to the Foreign Office to see Sir Edward Grey. The action of physically visiting the Foreign Secretary implies the urgency the women felt for the national situation, but it also shows that they were comfortable with interacting with the higher echelons of the political sphere; maintaining a dialogue with those in power was a key element of Macmillan's political activism. However, when they arrived at the Foreign Office, Macmillan and Schwimmer were left in the taxi while Fawcett handed over the letter to the footman.⁷⁶ This routine was repeated when the women visited the other

⁷³ Wiltsher, Anne, *Most Dangerous Women: Feminist Peace Campaigners of the Great War* (London: Pandora Press, 1985), p. 4.

⁷⁴ Fawcett, Millicent Garrett and Macmillan, Chrystal. 'International Manifesto of Women', *Jus Suffragii*, 1 September 1914, p. 1.

⁷⁵ *Ibid.*

⁷⁶ Wiltsher, *Most Dangerous Women*, p. 15.

embassies in London. This anecdote speaks to Fawcett's reluctance, even before Britain entered the war, to reject her imperialist, patriotic conception of feminism and stand alongside two well-known pacifists. It also indicates just how secure she was in her leadership position of the NUWSS; Fawcett was comfortable with ignoring group decisions when she personally disagreed with them. It is also suggestive of Chrystal Macmillan's proactive initiative in her peace activism. The manifesto that Fawcett handed to the Foreign Secretary's footman was written on behalf of the International Woman Suffrage Alliance (IWSA), of which Fawcett was Vice President and Macmillan was the 1st recording secretary. However, during the First World War Fawcett and Macmillan espoused drastically differing approaches to activism, with Fawcett pursuing pro-war activism and Macmillan instead campaigning for an end to hostilities.

Much has been written about the mass resignations from the NUWSS executive committee in the first half of 1915.⁷⁷ Broadly speaking, those who resigned were pro-peace, and as a result, for the remainder of the war the NUWSS executive committee was dominated by feminists who supported the war. This split was emotionally fraught, and many previously close friendships between committee members were broken beyond repair. Vellacott suggests that the war revealed deep fractures between the left-leaning, pacifist-supporting members of the executive committee and the nationalistic, pro-war side, epitomised by Millicent Fawcett and Ray Strachey's public statements supporting the war and deploring those who campaigned for peace.⁷⁸ The differences were ultimately so hurtful to all involved that the split was skimmed over briefly in an early history of the women's

⁷⁷ Vellacott, Jo, 'A Place for Pacifism and Transnationalism in Feminist Theory: The Early Work of the Women's International League for Peace and Freedom', *Women's History Review*, 2.1 (1993), 23–56. (p. 29.); Liddington, Jill, and Jill Norris, *One Hand Tied Behind Us: The Rise of the Women's Suffrage Movement* (London: Rivers Oram Press, 2000) p. 213-215; Smith, Harold L., *The British Women's Suffrage Campaign 1866-1928: Revised 2nd Edition* (London: Routledge, 2014), p. 76.

⁷⁸ Vellacott, Jo 'Feminist Consciousness and the First World War', *History Workshop*, 23 (1987), 81–101. (p. 82.).

movement written by prominent NUWSS member Ray Strachey. She dismissed it as ‘differences of opinion within the union.’⁷⁹ As a pacifist-leaning member of the executive committee, who worked closely before and after the split with those who resigned, it might have been expected that Macmillan would be among the resigning number. Indeed, both Anne Wiltsher⁸⁰ and Sybil Oldfield⁸¹ stated that Macmillan did resign in 1915. However, this is incorrect. Macmillan continued as a member of the NUWSS executive committee, while also pursuing peace work. In this sense, Macmillan was in a unique position among pacifist British feminists which has hitherto not been adequately examined.

Macmillan’s pacifist activism was explicitly transnational, suggesting that she thought a cross-borders approach was the only way to secure peace. It does not appear that she was involved in UK-based pacifist organisations during the conflict. Hers was an international activism that aimed to bring about an end to hostilities. She was a member of three of the major international women’s organisations: the International Council of Women (ICW), the International Woman Suffrage Alliance (IWSA) and the organisation that resulted from the 1915 Hague Congress of Women, the Women’s International League for Peace and Freedom (WILPF). Leila Rupp argues that these three organisations stood out because of their ‘openness to women of all continents, religions, political affiliations, occupations, and colours, worked for a range of goals, organised large numbers of women from different parts of the globe, and survived over a long span of years.’⁸² Macmillan was an important and active figure in all three organisations. While the WILPF’s existence can be directly traced to the wartime activism of feminist pacifists, both the IWSA and ICW were reluctant to engage in active peace campaigning while the hostilities were ongoing.

⁷⁹ Strachey, *The Cause*, p. 350.

⁸⁰ Wiltsher, *Most Dangerous Women*, p. 2.

⁸¹ Oldfield, Sybil, *Spinsters of This Parish: The Life and Times of F. M. Mayor and Mary Sheepshanks* (London: Virago, 1984), p. 191.

⁸² Rupp, Leila J., ‘Constructing Internationalism: The Case of Transnational Women’s Organizations, 1888-1945’, *The American Historical Review*, 99.5 (1994), 1571–1600. (p. 1573.).

This reluctance can also be seen in national groups; both the Emmeline Pankhurst-led WSPU, and the NUWSS headed by Millicent Fawcett, enthusiastically supported the war effort.

Macmillan mounted a sustained and consistent opposition to World War One. She also argued for future disarmament and the discontinuation of secret treaties between nations. Such a viewpoint represented a substantial development in feminist attitudes to international relations. Liddington identifies three strands of ‘feminisms’ with which to assess the feminist-pacifist response to war: maternalism, equal-rights feminism, and opposition to male violence.⁸³ Macmillan invoked all three of these strands in the co-authored manifesto written just before the outbreak of war, arguing that women are ‘mothers of the race,’ deploring women’s political powerlessness, and warning of the manmade ‘horrors of war.’⁸⁴ Despite this ability to appropriate powerful arguments for women’s pacifism that had roots within the women’s movement, Macmillan was primarily an equal-rights feminist of the classical Liberal persuasion. However, she utilised all three of Liddington’s feminist-pacifist responses to the war, perhaps because by doing so it enabled her to persuade as wide an audience as possible of her argument.

Macmillan’s organisational prowess was evident even in the confusion of the early days of the War. As Jo Vellacott has stated, ‘the amount of dislocation occurring in the first few weeks of the war is often forgotten ... neither army nor government seems to have been well prepared to deal with sudden unemployment, the arrival of refugees, or even the need to ensure the welfare of serving men’s families.’⁸⁵ Macmillan worked assiduously to assist refugees throughout August and September 1914, with Millicent Fawcett recording in *Jus Suffragii*, the organ publication of the IWSA, that ‘Our treasurer, Mrs. Coit, and our

⁸³ Liddington, Jill, *The Long Road to Greenham: Feminism and Anti-Militarism in Britain since 1820* (London: Virago, 1989), p. 6-8.

⁸⁴ Fawcett, Millicent Garrett and Macmillan, Chrystal. ‘International Manifesto of Women’, *Jus Suffragii*, 1 September 1914, p. 1.

⁸⁵ Vellacott, ‘Feminist Consciousness and the First World War’, (p. 92.).

recording secretary, Miss Macmillan, have been indefatigable in carrying out this work [helping foreign women stranded in London]; they have been at the office every day and all day since the war began.’⁸⁶ This inclination for relief work, which would later become a cornerstone of the NUWSS’s policy during the war, was further evident in the first executive meeting after hostilities began on 6 August 1914.

Interestingly, Macmillan suggested that they start a hospital unit, an idea that bears striking resemblance to the Scottish Women’s Hospitals. Although this proposal was rejected, ‘the Scottish Federation, of which Macmillan was a member, successfully initiated the Scottish Women’s Hospitals.’⁸⁷ Although Bowerman and Macmillan seemed to approach the war with vastly different ideologies and methods, there is something of an overlap between their activism. The early executive meetings after war was declared in 1914 centred on discussions of what the NUWSS role was going to be during the war. Along with Macmillan’s suggestion of a hospital unit, there was overwhelming support from local societies for the Union to help those affected economically by the conflict. Such widespread support for utilising the existing structure of the NUWSS to effect wartime activism refutes the popularly held idea that the NUWSS ceased work upon the outbreak of hostilities. Instead, minutes of early meetings indicate that there were lively and innovative discussions on the best ways to alleviate the immediate ramifications of war and plan strategies for more long-term aid.

Meanwhile, within international suffrage communities, there were already debates on the possibility of organising an event to advocate peace. In the September 1914 edition of *Jus Suffragii*, Aletta Jacobs, a Dutch feminist campaigner, addressed an open letter ‘To Miss McMillan, Miss Sheepshanks, Rosika Schwimmer, and other suffrage friends.’⁸⁸

⁸⁶ Fawcett, Millicent Garrett. ‘Message to the I.W.S.A.’ *Jus Suffragii*, 1 September 1914, p. 1.

⁸⁷ Vellacott, *Pacifists, Patriots and the Vote*, p. 19.

⁸⁸ Jacobs, Aletta. ‘To Miss McMillan, Miss Sheepshanks, Rosika Schwimmer, and other suffrage friends’ *Jus Suffragii*, 1 September 1914, p. 3.

Jacobs' decision to name Macmillan in her letter is significant. It suggests that she was an integral person, not only to the suffrage movement, but also to the WW1 peace movement, then in its infancy. The other women identified by name in Jacobs' letter were Rosika Schwimmer, a Hungarian feminist already agitating for peace by this point (in the NUWSS executive meeting of 27 August 1914, Schwimmer's request for support for her peace campaign was rejected), and Mary Sheepshanks, who was a secretary of the IWSA and the editor of *Jus Suffragii*.⁸⁹ The connections between these women were evident upon the outbreak of war: the manifesto of 31 July 1914 was drafted in Sheepshanks' London IWSA office, and Schwimmer accompanied Macmillan and Fawcett in their delivery of the manifesto to the embassies. Jacobs' act of specifically identifying these three women betrays their centrality even in these early discussions of how to formulate an effective peace campaign.

In her letter, Jacobs asked, 'Ought not the women of the whole world to send a strong and serious protest to the different Emperors, Kings, and other responsible men! No meetings, but a worldwide protest in written letters.'⁹⁰ This sparked a discussion of what international suffrage organisations could do to support arguments for peace, which continued throughout the autumn of 1914 in the pages of *The Common Cause* and *Jus Suffragii*. By December 1914, Aletta Jacobs had written to the NUWSS executive committee, asking for them to discuss the possibility of holding an international peace conference. At the meeting of 3 December, Macmillan proposed that the IWSA take the lead on such a conference, and that it be termed a 'business congress'—perhaps to deflect criticisms if the congress solely focused on peace. This motion was passed with two dissenters, one of them Fawcett.

⁸⁹ See: Oldfield, *Spinsters of This Parish*, p. 176-198. for more on Mary Sheepshank's work during WW1.

⁹⁰ Jacobs, Aletta, 'To Miss McMillan, Miss Sheepshanks, Rosika Schwimmer, and other suffrage friend' *Jus Suffragii*, 1 September 1914, p. 3.

As a result, by the end of 1914, there were clear differences of opinion on the executive committee regarding the Union's approach to the War, and Fawcett had identified Macmillan as one of those with whom she vehemently disagreed. Indeed, Fawcett doubled down on her position in her article in the January edition of *Jus Suffragii*. She stated that an International Congress of Women during the war would be 'highly undesirable.'⁹¹ Macmillan's clear support for an international meeting identified her as being at odds with the nationalistic, Fawcett-supporting members of the committee, and firmly placed her within the faction that wanted peace. Despite the NUWSS executive committee's approval of an IWSA-sanctioned congress, the IWSA refused to host it. The last international meeting of suffragists had occurred in Budapest in 1913, and the next, due to take place in Berlin in 1915, had been cancelled on the outbreak of war. This reluctance speaks to the resurgence of national feeling among some suffragists in belligerent countries; Fawcett was one of many who objected to internationalism during warfare. Conceptualisations of professionalism fed into this nationalistic discourse—it was politically astute and reflected the popular opinion at the time. Suffragists like Fawcett who refused to engage with international activism during the hostilities did so with the knowledge that the nationalism prevalent at the time meant that her stance appeared professional and patriotic to the public at large. Such a stance also fostered positive relationships with other UK-based organisations and of course, the UK Government. This in turn helped promote both the NUWSS as a professional feminist organisation, and Fawcett, as its leader and figurehead, as being a pioneer for feminist professionals.

This did not deter the pro-peace suffragists; a group met in Amsterdam in February 1915 to organise a congress.⁹² Macmillan was among this group, and was a key part of the

⁹¹ Fawcett, Millicent Garrett. 'Ought There to Be an International Congress of Women in the Near Future', *Jus Suffragii*, 1 January. 1915, p. 16.

⁹² Bussey, Gertrude and Margaret Tims, *Pioneers for Peace: Women's International League for Peace and Freedom 1915 - 1965* (London: WILPF British Section, 1980), p. 18.

organisational process for the congress. Although the IWSA did not officially support the event, members of this international suffrage organisation *did* convene the meeting, and as such '[t]he April 1915 conference at the Hague had direct connections with the pre-war suffrage movement.'⁹³

The Hague Congress ran from 28 April to 1 May 1915 at the Hague in the Netherlands. Over 1,200 women 'from a dozen countries' attended,⁹⁴ including three British women: Chrystal Macmillan and Kathleen Courtney, who had travelled to the Hague early to continue preparations, and Emmeline Pethick-Lawrence, who arrived with the American delegation. 180 British women had actually planned to attend, but were stopped from travelling by the British Government, implying that there was more support for pacifist activism than the number of British attendees suggests.⁹⁵ This governmental attitude towards the congress is suggestive of not only the contempt in which campaigners for peace were held, but also the fear of what such a large number of British attendees could mean for the war: 'for the first time in history, women of different nations met together at a time of war to express their opposition and consider ways of ending the conflict.'⁹⁶ This is demonstrative of how symbolically important this meeting was, and also suggests that national governments were wary of such a meeting.⁹⁷ Women were crossing national boundaries and communicating on the subject of peace with women citizens of enemy countries, and in doing so, they were visibly opposing mainstream, jingoist British opinion. This was an important and pioneering method of pacifist activism that challenged the entanglement of nationalistic politics with professionalism.

⁹³ Vellacott, 'Feminist Consciousness and the First World War', (p. 93.).

⁹⁴ Liddington, *The Long Road to Greenham*, p. 102.

⁹⁵ Wiltsher, *Most Dangerous Women*, p. 84.

⁹⁶ Bussey and Tims, *Pioneers for Peace*, p. 17.

⁹⁷ Liddington, *The Long Road to Greenham*, p. 103.

Despite its acknowledged importance for both the international peace movement and the women's movement, the Hague Congress has been relatively neglected by historians.⁹⁸ When it is mentioned, it is usually as part of a wider analysis—of feminist peace activists during WW1 as in Anne Wiltsher's *Most Dangerous Women*, or the connections between the women's movement and peace campaigning over 170 years, as in *The Long Road to Greenham*. The neglect of the Hague Congress might be due to the eventual failure of its aims; it did not succeed in bringing about a negotiated peace. However, this meeting did have an impact on the British peace movement that is worth analysing in greater depth. The substantial role that Macmillan played, both during the conference and in the attempt to ensure ratification of its resolutions in the aftermath, is critical to our understanding of her internationally-focused activism during the war.⁹⁹

Macmillan's feminist perspective on the peace question is clear from her introduction of Jane Addams, President of the Congress, on 29 April. Macmillan made it clear 'that in regard to the question of Peace negotiations it was necessary that women should have their share in this matter also.'¹⁰⁰ She viewed it as fundamentally unfair that women were shut out from questions of international diplomacy, and this statement is evidence of both her personal commitment to the inclusion of women in the political sphere, epitomised by the granting of suffrage, and the Hague Congress's commitment to the same ideal. Indeed, Members of the Congress had to be in general agreement with two principles: '(a) That international disputes should be settled by pacific means. (b) That the parliamentary franchise should be extended to women.'¹⁰¹ From the outset, the meeting was configured as explicitly feminist and pro-peace. Macmillan was at the epicentre of this feminist-pacifist

⁹⁸ Munro, 'The Courageous Conference', (p. 422).

⁹⁹ Vellacott, 'Feminist Consciousness and the First World War', (p. 94.).

¹⁰⁰ *Jus Suffragii*, 1 June 1915, p. 303.

¹⁰¹ *Report of the International Congress of Women*, (Women's Peace Party, 1915), p. 3.

gathering; she was on the International Committee of the Congress, serving as secretary¹⁰² and she chaired the Resolutions Committee. This Committee was a crucial component of the Congress's ability to come to an agreement on its public resolutions, and Macmillan had a special responsibility as chair for making sure the resolutions passed accurately represented the views of the Congress, ascertaining the agreement of a wide number of members from many different countries.

The amount of commitment Macmillan needed to chair the Resolutions Committee is reflected in the length of time spent working on the resolutions; the committee worked for a week before the Congress began, 'continued its sittings throughout the proceedings, and also for a week afterwards, when the resolutions finally adopted were arranged in order and put into final form.'¹⁰³ These resolutions would become the public face of the Congress, a statement of their aims, and it was essential to get them right. Indeed, a legal thread runs throughout the resolutions, which can be somewhat confidently attributed to Macmillan's influence and her already famed legal knowledge. Sybil Oldfield identified that the Hague Congress was 'modelled on the International Court of Justice at the Hague.'¹⁰⁴ Not only did the resolutions argue for women's enfranchisement, democratic control of governments, and future peaceful arbitration of international disputes—a radical redefinition of the politics of Europe—but they also proposed new principles of international law. Important among these was resolution 5, Respect for Nationality. This stated 'that there should be no transference of territory without the consent of the men and women residing therein.'¹⁰⁵ Macmillan's influence on this particular resolution can be pinpointed, because it is stated in *Towards Permanent Peace*, a record of the Congress, that she proposed a motion that this resolution

¹⁰² Addams, Jane, Emily G. Balch, and Alice Hamilton, *Women at the Hague: The International Congress of Women and Its Results* (New York: Macmillan, 1915), p. 70.

¹⁰³ *Report of the International Congress of Women*, (Women's Peace Party, 1915), p. 4.

¹⁰⁴ Oldfield, *Spinsters of This Parish*, p. 192.

¹⁰⁵ *Report of the International Congress of Women*, (Women's Peace Party, 1915), p. 12.

include the sentiment that the right of conquest was not to be recognised.¹⁰⁶ This motion was passed by one vote and shows a lawyer's close analysis of the possible interpretations of what constituted respect for nationality. By introducing a motion that excluded right of conquest from this concept, Macmillan was applying knowledge of the context of military conflict to a possible post-war reconfiguration of Europe.

However, what is generally focused on by the histories that analyse the Hague Congress is the resolution proposed by Rosika Schwimmer.¹⁰⁷ Schwimmer wanted the Congress to nominate delegates who would act as envoys, bringing the agreed resolutions to both neutral and belligerent countries in person. This was a radical suggestion that provoked immediate dissension: 'Jane Addams was at first doubtful of its wisdom; Kathleen Courtney opposed it as impracticable; Chrystal Macmillan proposed a substitute motion that delegates should interview government representatives at the Hague rather than attempt to visit heads of state in their own countries.'¹⁰⁸ Macmillan's substitute motion is indicative of her practical approach to activism as travel during wartime was difficult. Macmillan's proposal to interview national representatives at the Hague reflects her belief that effective activism could still be achieved without potentially risky travel. However, Schwimmer's impassioned plea for cross-Europe travel amid hostilities was passed by members of the Congress, and two groups of envoys were appointed to complete this task. In a demonstration of Macmillan's commitment to democratic voting procedures, even though she personally opposed Schwimmer's motion, she was appointed to head up one of these delegations.

The structure of the Congress, modelled on international meeting conventions, was professional in nature. Such a composition, and Macmillan's centrality in both the organisation of and participation in the conference, reflects the increasing professionalism

¹⁰⁶ *Towards Permanent Peace: A Record of the Women's International Congress*, (London: British Committee of the Women's International Congress, 1915), p. 8.

¹⁰⁷ Wiltsher, *Most Dangerous Women*, p. 101.

¹⁰⁸ Bussey and Tims, *Pioneers for Peace*, p. 21.

of her activism. Both her political and professional identities were, at this stage in her life, almost interchangeable with each other. By professionalising her activism, Macmillan legitimised her feminist pacifism in the eyes of the establishment, in both national and international spheres. In turn, her activism, especially in legal circles, established her as an expert in a profession which she could not at the time enter. When she eventually did become a barrister, she already had a solid reputation within feminist circles upon which she could build her career. Macmillan's path demonstrates that the aspect of professionalism within political activism was almost obligatory if activists wanted to translate their activism into a career.

The Hague Congress had national implications. In the aftermath of the Congress the NUWSS 'ruthlessly purged its pacifist wing and devoted itself to promoting women's war work, using the spectacle of female patriotism to legitimise renewed agitation for the vote.'¹⁰⁹ In April 1915, Helena Swanwick, Emily Leaf, Cary Schuster, Alice Clark, Margaret Ashton and Isabella Ford resigned their positions on the executive committee. They joined Kathleen Courtney and Maude Royden, who had already resigned in February, and Catherine Marshall, who resigned in March. This mass resignation constituted the majority of the peace-leaning committee members, with the notable exception of Chrystal Macmillan. Anne Wiltsher suggests that the reason Macmillan continued on the committee was that she was busy organising and attending the Hague Congress.¹¹⁰ However, this assumption is refuted by Macmillan herself. In an open letter printed in *The Common Cause* edition of 25 June 1915, and written while she was on a train from Stockholm to Petrograd, Macmillan stated 'the fact that the National Union Executive voted against sending delegates to the Hague Conference does not seem to me to be a reason for the resignation of a member.'¹¹¹

¹⁰⁹ Gullace, *The Blood of Our Sons*, p. 6.

¹¹⁰ Wiltsher, *Most Dangerous Women*, p. 77.

¹¹¹ Macmillan, Chrystal 'Letter from Miss Macmillan', *The Common Cause*, 25 June 1915, p. 163.

As one of two NUWSS members (Kathleen Courtney was the other) to actually attend the Congress, this is an important perspective that has been left out of much of the historical record. Macmillan based this opinion on the assumption that an executive committee member was responsible to the Council rather than the executive, and that voting with a minority was an important means to express dissent and ‘one of the strongest reasons why she should not resign.’¹¹²

This is another clear expression of Macmillan’s ability to continue working alongside those with whom she personally disagreed. However, it goes further than that; Macmillan’s consistent belief in continuing to participate in an organisation, in order to represent a point of view that did not necessarily agree with that of the majority, was a brave political strategy to follow. She thought that she could be a more effective peace activist by remaining a member of the NUWSS executive committee. It also further indicates the professional nature of her political activism; Macmillan adopted a professional approach to working with those with whom she had ideological differences, and such an approach would later form a crucial component of her professional identity as a barrister. In her analysis of the ideologies of the members of the NUWSS executive who resigned in 1915, Jo Vellacott argues that ‘there was an intimate connection between the women’s suffrage issue and opposition to militarism’¹¹³ epitomised by these resignations. However, this analysis ignores Macmillan, a confirmed internationalist and pro-peace campaigner who also remained on the NUWSS executive throughout the war. This suggests that the NUWSS split, often written about as a dramatic and abrupt break in relations between pro-war nationalists and the pro-peace internationalists, was less clear cut than has been previously perceived. Macmillan’s continued presence certainly implies a more complex conception of the role of the NUWSS executive during the war.

¹¹² *Ibid.*

¹¹³ Vellacott, ‘Feminist Consciousness and the First World War’, (p. 89.).

Despite her continued presence, in the sense that she remained a serving member of the executive committee, Macmillan was more often than not physically absent from committee meetings in the latter half of 1915 because she was busy travelling. Patterson suggests that the delegations to political leaders in Europe were 'more important for the mediation movement than the Congress itself.'¹¹⁴ Macmillan visited officials in Denmark, Sweden, Norway and Russia, and in total the 'two delegations interviewed twenty-nine European statesmen.'¹¹⁵ This is an incredible achievement considering that these trips were unofficial and not state-sanctioned, and that these women were travelling through a continent beset by war. Indeed, the women considered their mission as an explicitly gendered one: 'such an errand would be impossible for men.'¹¹⁶ The association of women with pacifism was strong, and the delegations exploited this stereotype to further their activism.

As non-combatants, women had fewer physical restrictions than enlisted soldiers, a freedom unique upon the outbreak of war. However, some historians have suggested that the women were naïve in the face of their diplomatic meetings. Politicians and dignitaries thought it a courtesy to meet with the delegations, a group of educated, middle-class women, regardless of whether they actually thought much of their pacifist aims. The delegation's assessments sometimes come across as overly optimistic about the response given to them by politicians and dignitaries. However, this analysis could be accused of failing to take account of the political context from which the Hague Congress arose: that of national feminist organisations. Macmillan herself had personal knowledge of politicians' broken promises on women's suffrage. Supporters of suffrage knew the power of media exposure in support of their cause, and this knowledge translated to the women's peace movement during the War. Knowledge of, and strategies to best utilise, the media, was a key skill

¹¹⁴ Patterson, David S., 'Woodrow Wilson and the Mediation Movement, 1914-17', *The Historian*, 33.4 (1971), 535–56. (p. 540).

¹¹⁵ *Ibid.*, (p. 541).

¹¹⁶ *Report of the International Congress of Women*, (Women's Peace Party, 1915), p. 19.

Macmillan acquired during her suffrage activism which she carried on to her pacifist activism. Such a skill set also allowed Macmillan to curate an identity within the pages of the press: she was able to present herself as a committed feminist activist, who was an expert on woman-focused legal issues. Such an identity formed the crux of her political and professional selves.

As Thomas Munro has demonstrated, the Congress was covered extensively in the newspapers of the day, and although many pro-peace feminists interpreted much of that coverage as negative in nature, an overall analysis of the coverage suggests a more balanced account.¹¹⁷ Indeed, a close reading of *Women at the Hague* suggests a far more nuanced view of the delegation's prospects of success: 'in each country the leading minds were not bent upon a solution nor to the great task that would bring international order out of the present anarchy, because they were absorbed in preconceived judgments.'¹¹⁸ This quote also suggests a complex attitude towards the media's influence in the continuation of the war.

Although the delegations did not succeed in their aim of forming a conference of neutral powers to bring about an end to the war, they did succeed in influencing important international figures, such as President Woodrow Wilson of the USA. David Patterson argues that historians have 'neglected the efforts of peace workers outside the administration who were engaged in a prolonged effort to induce Wilson's mediation.'¹¹⁹ He suggests the reason for this neglect is that President Wilson never actually took part in mediation exercises. However, his continued interest in, and communication with, peace workers suggests that he seriously considered their ideas, and his famous Fourteen Points speech owes much to the resolutions passed by the Congress of Women at the Hague in 1915.¹²⁰

¹¹⁷ Munro, 'The Courageous Conference', p. 422–35.

¹¹⁸ Addams, Balch, and Hamilton, *Women at the Hague*, p. 43.

¹¹⁹ Patterson, 'Woodrow Wilson and the Mediation Movement', (p. 535).

¹²⁰ Wiltsher, *Most Dangerous Women*, p. 192.

Accordingly, '[t]he Congress's proposed resolutions offered a revision of the old diplomatic order and this resonated with the liberal and left-wing press, upon whom the symbolism of a conference organised and run by women with no official authority was not lost.'¹²¹ Chrystal Macmillan was a key member in the planning process, the Congress itself, and the administration of its resolutions. Her pacifistic campaigning was deeply entwined with her feminist ideology, because for her 'the issue of peace and war was a feminist concern.'¹²² In taking part, Macmillan brought a unique skill set: a firm knowledge and understanding of the law. This legal influence is made clear in the published resolutions of the Congress. It also demonstrated another context in which the deployment of Macmillan's legal persona occurred before her admission to the legal profession. In establishing herself as an expert in women-related legal matters, Macmillan continued the process of developing her professional identity amidst her activism work.

In addition to this key international activism, Macmillan also managed to maintain a role in the NUWSS executive committee throughout the war even though, after 1915, the Committee was broadly made up of pro-war feminists. Macmillan's decision to remain on the Committee speaks to her ability to work alongside those with whom she disagreed. It also implied a perceptive activist strategy, as she clearly felt her pacifist and feminist aims were better served by her continued participation in the national suffrage movement.

Conclusion

Macmillan and Bowerman's wartime experiences contributed greatly to the formation of their professional identities. For both women, a gendered perspective formed the nucleus of their identities. Bowerman's participation in the women-organised and -staffed SWH exposed her to women professionals for the first time; her experience near the front line and

¹²¹ Munro, 'The Courageous Conference', (p. 431).

¹²² Vellacott, 'A Place for Pacifism and Transnationalism in Feminist Theory, (p. 29).

in Russia informed her conservative feminist beliefs, and her role as a wartime volunteer reinforced ideas of the historical importance of women trailblazers—an idea she was to carry forward into her legal work. Macmillan was integral in the feminist-pacifist movement throughout the war, using the travel freedoms allowed to her as a result of her gender in order to advocate peace. She also continued to be a prominent feminist legal expert, and used the 1915 Hague Congress to further her ideas of reform for gender inequality under the law in the international sphere. The construction and development of both a professional and a political identity was a complex task, involving interlinking skill sets and conduct markers. However, gender was a common thread in both identities; both women's activism was explicitly feminist, and such activism, therefore, informed their professional choices.

For Macmillan, although her wartime activism was an extension of her work during the peacetime suffrage campaign, it evolved into an internationally-focused role. Macmillan faced considerable opposition for her pro-peace views both at home and abroad. As a prominent member of the Hague Congress, Macmillan helped develop a broadly legal foundation for a radical redefinition of international relationships in the post-war world, one that was taken notice of by none other than President Wilson in his famous Fourteen Points speech in 1917. Bowerman's work was more of an abrupt departure from her pre-war norm, as her experiences in Russia imbued in her a sense of independence, and a firm belief in the rightness of the war. It also allowed her to form a conception of a professional identity for the first time, as she took a role with key responsibilities. Bowerman's time with women doctors, many of whom were breaking down professional and gender boundaries in the course of their war work, probably influenced her in her choice of career. Law, like the medical profession, was held in high regard by society at large, and in becoming a legal professional, Bowerman was able to emulate women doctors' trailblazing ways, and in turn, enhance her feminist activism. Both women used the wartime opportunities that opened up to women to further their activism, and in doing so, they both deliberately and inadvertently formulated a professional self.

Chapter Four: After the Representation of the People Act 1918: Political Activism and Being Called to the Bar

Within this chapter, the pivotal period when both Bowerman's and Macmillan's legal professional and political activist identities come together will be explored. It also covers the time focused on by most existing histories of women's entry into the legal profession, as well as the climax of the campaign for a measure of women's suffrage. Accordingly, its sections do not focus on Bowerman and Macmillan individually. Instead, it offers a comparative analysis that traces the increasing professionalisation of both women's activism in the aftermath of the Representation of the People Act, as well as their entry into the legal profession. This chapter also chronicles Bowerman and Macmillan's early experiences within law. Such a practice-focused analysis of early women barristers has rarely been done, and consequently offers a unique opportunity to understand the foundations of the legal profession for women.

This chapter will first turn to the enactment of the Representation of the People Act 1918 because, for suffrage activists like Macmillan and Bowerman, the change in the franchise represented the culmination of their political apprenticeship. Both women had learnt techniques and strategies of effective political lobbying and interaction with those in power during the campaign for women's suffrage, and they would take this experience forward in their activism. The Representation of the People Act 1918 is often thought of as 'one of the greatest achievements of constitutional reform in the 20th century', although there is an abundance of complex feminist historiography that has debated both the passage of the legislation and its overall effect on women.¹ The chapter goes on to explore their activism after the Act, looking at how this evolved now that some women were enfranchised.

¹ Blackburn, Robert, 'Laying the Foundations of the Modern Voting System: The Representation of the People Act 1918', *Parliamentary History*, 30.1 (2011), 33–52 (p. 33); Takayanagi, 'Parliament and Women'; Hilson, Mary, 'Women Voters and the Rhetoric of

The Representation of the People Act 1918

Major electoral reform occurred because the residency requirements demanded by previous legislation meant that many soldiers would have been disenfranchised purely since they had spent years fighting abroad. Feminist organisations, knowing that reform was imminent, lobbied the government to include a measure of female enfranchisement in any reform bill. Getting a measure of women's suffrage passed was the priority for feminist organisations at the time, and much of their media strategy in the run-up to the 1918 Act focused on the selflessness and dedication of women wartime workers. Such a focus was based on the popular contemporary idea that women should be rewarded for their wartime work by being given the vote, and this idea contrasted starkly with the reasoning that women had just as much of a right of entry to the political sphere as men.

Then, in June 1917, MPs voted in favour of extending the vote to women aged 30 and above who met certain property or educational requirements.² Women could vote for parliamentary candidates provided they or their husbands were entitled to vote in local elections (i.e. rented or owned property that paid rates of £5 or more). These property qualifications excluded women over 30 who lived with their parents, or as live-in domestic servants. Women who had completed university degrees were also entitled to vote in university constituencies, provided they were over 30.

This contrasted with the male franchise qualifications: all men over the age of 21 gained the vote in the constituency where they lived, and men who turned 19 while they

Patriotism in the British General Election of 1918', *Women's History Review*, 10.2 (2001), 325–47; Thane, Pat, 'Women and Political Participation in England, 1918-1970', in *Women and Citizenship in Britain and Ireland in the 20th Century: What Difference Did the Vote Make?* (London: Bloomsbury Publishing, 2012); Muggeridge, Anna, 'The Missing Two Million: The Exclusion of Working-Class Women from the 1918 Representation of the People Act', *French Journal of British Studies*, XXIII.1 (2018), 1–15.

² Purvis, June, 'The Women's Party of Great Britain (1917-1919): A Forgotten Episode in British Women's Political History', *Women's History Review*, 25.4 (2016), 638–51 (p. 639-640.).

were on active service but were still under 21 at the time of the general election could also vote. The difference in the measure of franchise reform between men and women is indicative of the complex political context in which these changes took place. The motivations behind the reforming legislation were numerous; in addition to the pressure to enfranchise war veterans and women, there were concerns about young women being too politically inexperienced to vote and women swamping the electorate, given the number of men that had died during the war. These concerns resulted in the additional property, age and educational qualifications that women had to satisfy. In addition to the franchise change, women over 21 were also allowed to stand for Parliament, although the Parliament (Qualification of Women) Act 1918 that enabled this change ‘barely gets more than a passing mention by historians.’³

The first general election that some women could vote in took place just after the Armistice. It ‘occurred at a time of considerable confusion in British politics.’⁴ Lloyd George had succeeded to the premiership in December 1916, pushing out fellow Liberal H. H. Asquith in a move that split the Liberal Party and resulted in a coalition government. Consequently, Lloyd George increasingly relied on the coalition support of the Conservatives and Labour Party, and Asquith and his Liberal supporters served as the official opposition. Because of this complexity, the 1918 election had special relevance beyond the changes to the electorate. Lloyd George, the current and prospective Prime Minister, went to the polls without the support of a substantial section of his party’s MPs, and instead had support from the rival Conservative Party. To alleviate some of the confusion that resulted from this, Lloyd George and the Conservative leader, Bonar Law, issued a ‘coupon’ to candidates they supported, which took the form of a letter signed by both men.⁵

³ Takayanagi, ‘Parliament and Women’, p. 16.

⁴ Wilson, Trevor, ‘The Coupon and the British Election of 1918’, *The Journal of Modern History*, 36.1 (1964), 28–42 (p. 28.).

⁵ *Ibid.*, (p. 29.).

This proved an effective means of identification with the government that had won the war, and ‘only 63 of the 541 recipients of the coupon were defeated.’⁶ Therefore, possession of a ‘coupon’ was a sought-after means of promoting the chances of election to Parliament in 1918. Although Lloyd George remained Prime Minister, historians characterise the 1918 election as a Conservative victory; many more Conservative candidates than Liberals were elected and many Independent Liberals (those without a coupon endorsement) failed to gain seats.⁷

All this change meant that Macmillan and Bowerman had to substantially adjust their activism, as attention was increasingly given to other feminist legal reforms. This also necessitated a development in the construction of their internal identities, as well as the external status they presented publicly. For Bowerman, her evolution from suffragette to election agent and barrister was starkest and reflected her need for a respectable public image that best suited an aspiring legal professional. For Macmillan, although her activism shifted away from a focus on suffrage, she saw her entry into law as a move that would positively impact her activism. Consequently, her public image remained at the fore and her evolution was more gradual. Increasingly their political activism became overtly professionalised. Cultural expectations dictated that they model their activism on previously-defined male political activism, and for their activism to be taken seriously by the political elite, they needed to conform to certain conventions. In tandem with the professionalisation of their political identities was the emergence of their identity as legal professionals. This professional identity was necessarily interlinked with that of the political; being among the first cohort of women lawyers was a political statement by Bowerman and Macmillan that was designed to effect change from the inside of the profession. This fluidity of identities is tantamount to Fearon’s ideas surrounding this concept. Fearon argues that both the personal

⁶ *Ibid.*, (p. 38.).

⁷ Hilson, M., ‘Women Voters and the Rhetoric of Patriotism, (p. 340.), Wilson, ‘The Coupon and the British Election of 1918’, (p. 41.).

and social identities of an individual are interlinked, and that the lines between them are often blurred. The status of being pioneers was an important part of Macmillan and Bowerman's self-derived personal identities that also bled into their social identities, both professional and political.⁸

The end of the war and the advent of enfranchisement for some women in 1918 meant that both Bowerman and Macmillan needed to adjust and refocus their political activism; the result was the diversification of their reformist goals. The divergence between both women's activist priorities is a reflection of this diversification and of their drastically different attitudes towards their activism. Macmillan maintained an active and prominent presence in both national and international women's organisations, campaigning at both levels for wide-reaching reforms. Bowerman remained a foot soldier in service to the Pankhursts, striving for official acceptance into the political sphere of her party's leader, Christabel Pankhurst. She also committed herself to an ideology of feminist conservatism, arguing for pro-empire and anti-communist causes. Nonetheless, both women ended the period in the same place: being admitted to the Bar. This chapter will explore the ways in which both women's activism developed in the aftermath of the Representation of the People Act 1918, leading up to their admittance to the Bar in 1924.

Professional Activists: Election Agent and International Peace Campaigner

After the Representation of the People Act 1918, both women's activism became increasingly professionalised. Although Bowerman continued working with the Pankhursts, by November 1917 the WSPU had been renamed the Women's Party (WP). The WP was, as the name suggested, a women-only political party that aimed to 'prepare women for their impending citizenship' in 1918.⁹ Their objectives were a seemingly strange mix of

⁸ Fearon, *What Is Identity*.

⁹ Purvis, 'The Women's Party of Great Britain, (p. 651.).

nationalistic, feminist and conservative policies, reflecting the Pankhursts' complex political ideologies.¹⁰ The continuation from the WSPU was clear in its core membership: 'four key members of the inner circle' were also a part of the WP: Emmeline and Christabel Pankhurst, Annie Kenney and Flora Drummond.¹¹ The WP's feminist and conservative aims reflected Bowerman's own ideological beliefs. During her return from serving in the SWH unit in 1917, she had experienced first-hand the initial waves of revolution in Petrograd. This experience had a decisive impact on the target of her activism, and upon her return to the UK she 'immediately became involved in the campaign against the strikes in industrial centres which were threatening the safety of the county.'¹² This activism was focused almost exclusively on preventing industrial action that might endanger or delay the production of essential wartime products, and was inspired heavily by patriotic and nationalistic discourse.

The advent of the WP and Bowerman's role as an election agent in the 1918 election represented a shift in terms of her professional development. Her experiences of revolution during the war solidified her conservative political beliefs, and her work for the WP gave her an avenue to share these beliefs at a grassroots level throughout the United Kingdom. The evolution of the WSPU from an anti-government militant organisation to the WP, a small political party whose sole candidate at the 1918 election was endorsed by Lloyd George, is reflective of Bowerman's personal shift from political outsider to societally acceptable political activist.

Macmillan's activism also shifted in the years after 1918. She was well aware that the NUWSS, of which she was an executive committee member, had to evolve politically to continue effectively campaigning for women's interests. She was acutely conscious of the

¹⁰ Gullace, Nicoletta F, 'Christabel Pankhurst and the Smethwick Election: Right-Wing Feminism, the Great War and the Ideology of Consumption', *Women's History Review*, 23.3 (2014), 330–46 (p. 330-333.).

¹¹ Purvis, June, 'The Women's Party of Great Britain, (p. 640.).

¹² Bowerman, Elsie, 'Reflections Of A Square' (High Wycombe), Wycombe Abbey School Archive, Post War Strikes, p. 1.

limited power of the vote and argued that women's political capital was still dependent on the strengths of feminist organisations, stating that 'although six million women had gained the parliamentary vote, they were certainly not recognised as co-partners in the State, and still have a very long way to travel before they secure equal opportunities, rewards and responsibilities with men throughout all branches of national life.'¹³ Macmillan's stance here is remarkably perceptive, and shows the breadth of her reformist ambitions. She identified that much more work was needed, but also that the type of campaigning had to evolve; the granting of the vote allowed organisations like the NUWSS to diversify their feminist aims. Over time, Macmillan further articulated her feminist goals post-1918. Her manifesto included that mothers should be equal joint guardians of children, that men and women be awarded equal pay, that married women should not be barred from any professions and should have a right to determine their own nationality, that the moral standard between men and women be equalised, and that fathers of children born out of wedlock should be responsible for their offspring.¹⁴ These ideas were radical for the time, and certainly at odds with the political programme espoused by the established political parties; the divergence between these parties' aims and Macmillan's could indicate why her political role centred on activism as opposed to becoming an elected official.

Macmillan also continued her involvement with international feminist organisations. She built upon the bedrock of international work that she had developed during the war; she was elected 2nd Vice President of the IWSA at the Eighth Congress, Geneva, 6 – 12 June 1920¹⁵, was also 'a founding member of the Women's International League for Peace and Freedom (WILPF) and sat on the executive of the IAWSEC (International Alliance of Women for Suffrage and Equal Citizenship), the IFUW (International Federation of University Women)

¹³ 'Maintaining Women's Organisations', *The Vote*, 25 October 1918, p. 5.

¹⁴ 'The Status of Women: Meeting at the Garden Suburb', *Hendon & Finchley Times*, 9 March 1923, p. 9.

¹⁵ 'Officers of the International Woman Suffrage Alliance, elected at the Eighth Congress, Geneva, June 6-12, 1920', *International Woman Suffrage News*, 7 July 1922, p. 20.

and the ODI (Open Door International).¹⁶ All of these organisations aimed to mobilise women in the global sphere, but they had key differences between them. The WILPF had strong roots in the peace movement, founded during the world conflict in 1915. The IAWSEC had a longer history: it had been founded in 1904, and was more explicitly feminist in nature. The IFUW focused on the importance of education, and the ODI on the eradication of discrimination against women workers.¹⁷ These goals correlated with Macmillan's reformist agenda, which suggests why she was such a passionate supporter of all these organisations. Macmillan's campaigns on both national and international levels often merged, particularly in the case of married women's nationality, which she argued passionately for both in Britain and abroad. This continued commitment to improving the lives of women on a global scale is indicative of Macmillan's approach to activism: broadly drawn and bypassing the complex issues of borders.

All this suggests that Macmillan's work in the political sphere continued as it had done before the partial enfranchisement of women: an energetic career in activism facilitated by several interlinking feminist organisations. However, it does appear that she briefly considered becoming a parliamentary candidate in the 1918 election—sections of the feminist press at the time listed her as a woman candidate for the Liberal Party, although her constituency had not been confirmed.¹⁸ Her candidacy did not come to fruition, however, and it is tempting to speculate as to why. Perhaps embarking on a professional political career did not fit in with the development of her activism? Perhaps Macmillan felt more comfortable campaigning for political reform from the standpoint of the separatist feminist

¹⁶ Miller, 'Lobbying the League', p. 68.

¹⁷ See Bussey and Tims, *Pioneers for Peace* for a fuller discussion of the WILPF's aims. See Liddington, *The Long Road to Greenham* for a discussion of feminist-pacifist organisations more generally and IAWSEC in particular. See von Oertzen, Christine, *Science, Gender, and Internationalism: Women's Academic Networks, 1917-1955* (New York City: Springer, 2016) for a discussion of the IFUW.

¹⁸ 'Women Candidates', *The Vote*, 22 November 1918, p. 1.; 'Women's Freedom League', *The Common Cause*, 22 November 1918, p. 8.; 'Political Notes', *Church League for Women's Suffrage*, 1 December 1918, p. 1.

organisations she was involved with, rather than representing a political party that had been, at best, reluctant to grant women the vote? Perhaps there was not an available constituency willing to adopt her as a candidate?

It is also interesting to note the parallels and differences between Bowerman and Macmillan at this point in time; although both continued with their feminist activism, their approaches diverged with the advent of the parliamentary vote. Macmillan looked beyond borders, utilising the extensive activist connections she had developed during the war to help formulate a broad feminist manifesto of inequalities the law had yet to address. In contrast, Bowerman capitalised on women's entry to the political sphere of parliamentary candidature by being a crucial component in the WPs formation and showing at the 1918 general election.

As with her WSPU activism, Bowerman favoured a more grassroots style of activism in the WP, introducing its ideology at a localised level. Despite this continuation of an informal style of activism, Bowerman's status in the organisation was increasingly professional and responsibility-laden in nature. She was the District Organiser for the West of England, and spoke at meetings throughout this area and beyond.¹⁹ This shift to a more professional political identity was, in Bowerman's opinion, directly related to the extension of the franchise to women; she wrote to her mother that 'now the women count they will have to listen to us.'²⁰ Such a statement is indicative of the importance Bowerman placed on the vote: she saw it as a measure that made women's organisations, and by extension feminist activism, more legitimate in the eyes of the State.

Such a belief was enhanced by Christabel Pankhurst's decision to stand as a parliamentary candidate for Smethwick in the 1918 election. The Parliament (Qualification

¹⁹ In February 1918, Bowerman spoke at a number of open-air meetings: 12 February: Filton Aeroplane Works; 13 February: Wills's Tobacco Factory; 15 February: Motor Construction Works, Brislington. 'Bristol', *Britannia*, 8 February 1918, p. 10.

²⁰ 'Letters From Elsie Bowerman To Mrs Bowerman-Chibnall, 1916' (London), London School of Economics, The Women's Library, 7ELB.

of Women) Act 1918 had passed a month before the election, allowing women candidates to stand.²¹ Christabel Pankhurst was one of these women candidates. As Harrison notes, ‘women faced special difficulties. They had less money than men.’²² They also had ‘just over three weeks to field any candidates for polling day on 14 December.’²³ In Pankhurst’s case, she had the additional difficulty that she was the sole candidate of a very new political party. However, Pankhurst had official government support that none of the other women candidates had—she ‘was the only one to receive the coveted coupon.’²⁴

Hilson argues that in the 1918 election ‘the wider issues became subsumed by a narrowing focus on the candidates themselves, especially on their personal experiences of the War, and their abilities therefore to serve as adequate representatives of soldiers and sailors.’²⁵ While Pankhurst, as a woman, could not refer to experiences within the armed services during the war, she could reference the pro-war and nationalistic activism she had participated in throughout the hostilities. Similarly, the women she gathered around her as her WP inner circle also had impressive wartime records. As Hilson suggests, ‘The threat of Bolshevik revolution in the wake of events in Russia was felt to be very real.’²⁶ Bowerman’s experience in Petrograd at the initial outbreak of revolution would prove to be an important pillar on which to emulate the dedication and service of soldiers and sailors. Pankhurst, and by extension Bowerman, used their wartime experiences to bolster the WP’s election campaign. This wartime experience inflected their activism, which was now entangled with professionalism that was buttressed by legal and political institutions.

Bowerman acted as Pankhurst’s election agent for the Smethwick election. This suggests that she was a crucial member of the Pankhursts’ inner circle by this point. Election

²¹ Takayanagi, ‘Parliament and Women’, p. 16.

²² Harrison, Brian, ‘Women in a Men’s House: the Women M.P.s, 1919–1945’, *The Historical Journal*, 29.3 (1986), 623–54 (p. 626).

²³ Purvis, *Christabel Pankhurst*, p. 416.

²⁴ *Ibid.*, p. 417.

²⁵ Hilson, *Women Voters and the Rhetoric of Patriotism*, (p. 333.).

²⁶ *Ibid.*, (p. 330.)

agents had themselves become increasingly professional from the mid-eighteenth century onwards.²⁷ The evolution of the election agent's professional nature again points to the increasing professionalism of Bowerman's activism. After the war, she was consistently appointed to posts that required a great deal of organisational prowess and demanded long-term commitment. This required a responsibility both to the leadership of the WP, and to the grassroots activists under her command. First as a District Organiser for the West of England, an area of considerable size, and then as the election agent for the WP's sole candidate, Bowerman was demonstrating her skills not only as a feminist activist but also as a reliable and competent member of an organisation. These roles represented a definite shift in the tone of her activism from when she was at Girton, and also suggest the evolution of her professional identity.

It is difficult to compare the experiences and financial resources of the newly formed WP with those of the Liberals and Conservatives. In his pioneering study on elections during the late 19th century, Hanham describes the election agent as 'essentially a man who organised a team of up to several thousand paid workers, so that they got through the essential work of canvassing and making arrangements for taking electors to the polling booths with the minimum of friction, with the maximum of noise and publicity, and with as few breaches of the law as seemed to him desirable.'²⁸ This definition cannot be adequately applied to Bowerman at the Smethwick election. Firstly, 'the team surrounding Christabel Pankhurst at Smethwick was very small, mainly consisting of WSPU stalwarts, including Annie Kenney, Flora Drummond, Phyllis Aryton, Cynthia Maguire, Isabel Green and Elsie Bowerman.'²⁹ Secondly, Hanham specifically refers to 'men' in his definition, immediately

²⁷ Smith, E. A., 'The Election Agent in English Politics, 1734-1832', *The English Historical Review*, 84.330 (1969), 12-35 (p. 17.).

²⁸ Hanham, H. J., *Elections and Party Management: Politics in the Time of Disraeli and Gladstone* (London: The Camelot Press, 1959) p. 236.

²⁹ Purvis, *Christabel Pankhurst*, p. 408.

excluding Bowerman—indeed, she appears to have been the only woman election agent in the 1918 election.

Bowerman did not appear to be among the speakers on Pankhurst's behalf in the many hustings attended locally.³⁰ This suggests that she focused more on the organisational and financial aspects of Pankhurst's election campaign. She was present at the Council House in Smethwick on Nomination Day, when the candidates were required to hand in their papers, and Bowerman, as Pankhurst's agent, gave her £150 deposit to the Town Clerk.³¹ Local papers reported that Pankhurst's workers were 'working with an almost feverish energy to win the new seat.'³² Bowerman was a key part of this workforce, and this quote is indicative of the commitment she and her fellow workers put into the Smethwick election. The campaign was based in 'a Committee Room ... in Smethwick High Street, a gloomy, grimy thoroughfare'³³. The description of this room testifies to the difference between the very small setup of the WP and the larger, more organisationally complex traditional parties; it also suggests that the WP did not have a great deal of financial backing.

Bowerman's extensive experience in managing a number of rental properties, and her obvious loyalty to Pankhurst and the WP ideology, suggest why she was selected as election agent. However, there is also another possibility. Under the Corrupt and Illegal Practices Act 1883, election agents were unable to vote in elections.³⁴ The 1918 election took place on 14 December 1918, just four days before Bowerman reached her thirtieth birthday. As a result, under the requirements of the Representation of the People Act, she would not have been able to vote. Perhaps Bowerman's role as an election agent, therefore,

³⁰ The principal speakers on the campaign trail (other than Miss Pankhurst herself) were Miss Aryton ('The First Stage', *Britannia*, 6 December 1918, p. 219.), Miss Kenney ('A Call for Support', *Britannia*, 29 November 1918, p. 206) and Miss Drummond ('The General on the Contest', *Britannia*, 22 November 1918, p. 207.).

³¹ 'The Candidates Hand in Their Papers', *Britannia*, 13 December 1918, p. 232.

³² 'The Campaign in the Midlands', *Birmingham Daily Post*, 4 December 1918, p. 5.

³³ Mitchell, *Queen Christabel*, p. 274.

³⁴ S. 65(7) Corrupt and Illegal Practices Act 1883.

gave her an opportunity to participate in an election from which she was still disenfranchised, enabling her to enter the political sphere as a woman even though she was ineligible to be part of the electorate. Pankhurst lost the election by a mere 775 votes, and this began the permanent decline of the Women's Party.³⁵ Purvis argues that the Party failed because women were not a politically unified group, the age limit for enfranchised women excluded the young factory workers most likely to vote for Pankhurst, and there was a low turnout in Smethwick.³⁶

Bowerman's role as an election agent remains elusive, partly because of a lack of primary sources left behind by the WP, and partly because the WP was a new, small political party, which meant that her position differed vastly from election agents who had previous election experience and the financial clout of established political parties. Her route into the political sphere represented a break from her previous activism; she followed a more official path than before, but also utilised her previous experience, both activist and personal, to fulfil her new task. The historical connection between law and election agents is also important to note here; Bowerman was following a well-trodden path that connected legal and political careers.

After 1919, Bowerman's activism took on an international perspective that was very different to Macmillan's approach. After the dissolution of the WP in June 1919, Bowerman continued her activism by co-founding (with fellow suffragette and WP activist, Flora Drummond) the WGE, a pro-imperialist and anti-communist Christian organisation that continued very much in the vein of the WP. Like the WP, the WGE remains elusive within the academic literature. Most often, it is mentioned in throwaway comments or in

³⁵ Craig, Fred W. S., *British Parliamentary Election Results, 1918-1949*. (London: Macmillan Press, 1969) p. 241.

³⁶ Purvis, 'The Women's Party of Great Britain (1917-1919, (p. 647.) The strongly pro-Labour and working-class electorate in Smethwick may also have been a factor. See: Pugh, *Women and the Women's Movement in Britain*, p. 45-7.

conjunction with other feminist activist organisations of the time.³⁷ The most detailed analyses focus on the Australian Branch of the Guild, and its honorary secretary Adela Pankhurst.³⁸ However, this tells us little about the UK organisation. The lack of material on the Guild is surprising, considering its contemporary reach—it had 30 branches across the country, its own organ publication (edited by Bowerman) and offices in London. It also appears to have been the focus of Bowerman’s post-WP activism, especially while she was studying for the Bar (discussed later in this chapter). However, what is clear is that post-1918, Bowerman’s activism developed to the point that she held titled roles within the organisations in which she was involved and was closely connected to the higher echelons of both the WSPU and the WP. It is also important to note that all of these activist foci were interconnected; the WSPU evolved into the WP, and the WGE had its roots within the WSPU and was co-founded by Bowerman and Flora Drummond, both prominent members of the WP and WSPU. This interplay also reveals much about the development of Bowerman’s political identity: both she and the organisations she was involved in were evolving together. All this suggests that as Bowerman found an organisational niche where she was comfortable centring her activism, she was able to take on roles with more responsibility. These roles gave her experience both in publicising causes and in the organisational structure needed to facilitate her activism, and this skill set came together when she eventually co-founded the WGE.

While Macmillan would also eventually co-found a feminist organisation, at this time she was focused on maintaining the broad international activism she had developed during the war.³⁹ The Zurich Peace Conference of 1919 was the second international women’s

³⁷ In Crawford, Elizabeth, *The Women’s Suffrage Movement: A Reference Guide*, the Guild is mentioned in the biographies of Phyllis Aryton (p. 23.), Elsie Bowerman (p. 74.), Mary Cleeves (p. 116.), Muriel Matters (p. 393.) and Adela Pankhurst (p. 487.).

³⁸ Damousi, Joy, ‘The Enthusiasms of Adela Pankhurst Walsh’, *Australian Historical Studies*, 25 (1993), 422–36.

³⁹ See *Chapter Five* for detailed discussion of the Open Door International, the organisation Macmillan co-founded.

conference held by the International Committee of Women for Permanent Peace, the first having been held at the Hague during hostilities in 1915. Macmillan arrived in Zurich on 5 May and spent much of the subsequent week with her fellow organisers, preparing to welcome 147 delegates to the conference. The Congress commenced on 12 May, and Macmillan was acknowledged as being a key member of the organisation as its 'able and untiring international secretary.'⁴⁰ It was in Zurich that the International Committee of Women for Permanent Peace changed its name to the Women's International League for Peace and Freedom (WILPF), and Macmillan was re-elected as one of the Board of Officers.⁴¹

Although the peace the women had long campaigned for had been achieved, 'the predominating mood was one of disillusionment'⁴² due to the recent public announcement of the agreed peace terms. The women at the Zurich Congress had a unique analytical standpoint from which to perceive the peace terms, their impact on the world, and the WILPF's role in preventing further conflicts and alleviating the harm from future war. The agreed resolutions of the Zurich Congress were overwhelmingly critical of the peace terms decided at Paris: 'The International Congress of Women expresses its deep regret that the terms of peace proposed at Versailles should so seriously violate the principles upon which alone a just and lasting peace can be secured.'⁴³

Macmillan played a key role in the Congress, bringing to it not only her tireless organisational prowess but also her keen legal expertise and pacifist experience. She was on a great number of committees.⁴⁴ She gave a report on the envoys to governments in 1915,

⁴⁰ 'Impressions of Women's International League Congress', *New Crusade*, 6 June 1919, p. 6.

⁴¹ 'The Women's International Conference', *International Women Suffrage News*, 6 June 1919, p. 15-16.

⁴² Bussey and Tims, *Pioneers for Peace*, p. 29.

⁴³ 'Report Of The International Congress Of Women In Zurich', 1919, Women's International League for Peace and Freedom, <https://wilpf.de/docs/Congress-of-Zurich-Fertig.pdf>, p. 60.

⁴⁴ *Ibid.*, p. 439-40.

detailing some of the groundwork done by the WILPF during the war.⁴⁵ Macmillan had been one of these envoys in 1915, and at the 1919 Congress she was again elected by her fellow delegates to deliver their agreed resolutions to the politicians negotiating peace in Paris.⁴⁶ The re-election of Macmillan as an envoy to Paris, representing not only the WILPF but also their critical Congress resolutions, implies a level of trust and respect from the delegates. It is clear from this, and from her level of involvement in committees, that Macmillan was integral to the international women's peace movement at this time. The status that Macmillan held in the women's international movement shows the professionalism imbued in her political identity, and the development of her professional persona as a public image. The organisational responsibilities, the evolution of persuasive speaking skills in sharing her political ideology, and the engagement with powerful professional figures in the political sphere all contributed to the construction of a professional identity and provided Macmillan with transferable skills that would prove invaluable to establishing herself as a legal professional.

When the Zurich Congress came to a close, Macmillan remained a key part of the WILPF's organisational structure and was on its executive committee. She was also on the 'Committee on Publication of Proceedings' and the 'Committee to study and report on the Legal Problem of Nationality of Women, especially as affected by marriage', alongside Dr Aletta H. Jacobs and Mary Sheepshanks.⁴⁷ This last appointment reflected a long-standing interest of Macmillan's and is, again, an example of her activism interests intersecting nationally and internationally. Like many of her colleagues, Macmillan believed that 'the concept that fundamental individual rights could be protected through international law had

⁴⁵ Women in the Peace Treaty, and Their Representation in the League of Nations' *International Woman Suffrage News*, 5 September 1919, p. 28.

⁴⁶ Bussey and Tims, *Pioneers for Peace*, p. 33.

⁴⁷ 'Report Of The International Congress Of Women In Zurich', 1919, Women's International League for Peace and Freedom, <https://wilpf.de/docs/Congress-of-Zurich-Fertig.pdf> p. 467-8.

particular relevance for advancing the status of women.’⁴⁸ In this, Macmillan’s interest in global activism, feminism and the law can be seen. These interests were clearly interrelated—Macmillan’s long-standing international peace activism instilled in her a belief that reforming laws on a global basis was integral to moving towards equality between men and women.

The WILPF was able to ensure that all League positions were open equally to men and women, but other than this their resolutions were largely ignored by the politicians.⁴⁹ As Vellacott acknowledges, although the all-encompassing resolutions and critiques of both the Peace Treaty and the Covenant of the League may appear naïve, ‘there is also a great deal of common sense and prescience.’⁵⁰ These resolutions and attempts to alter the League and influence the statesmen conducting peace talks reflect the organisational aims of the WILPF; it ‘resisted the temptation to become the relief agency but tried to concentrate instead on analysing the causes of war and attempting preventative action.’⁵¹

In the aftermath of the Zurich Congress, the goals for internationally-minded women’s organisations became clear: ‘secure the representation of women in the League of Nations and its subsidiary bodies.’⁵² This goal manifested itself in the UK in the form of a meeting at Caxton Hall, in which ‘eighty delegates representing forty-three British women’s organisations ... [considered] the representation of women in the League of Nations.’⁵³ Macmillan, who had debated many of the key issues the WILPF had with the League at the Zurich Congress, had clearly devoted thought to solutions to many of the woman-centred critiques of the Covenant. To mitigate these issues, Macmillan drafted ‘a “Convention” or “Agreement” between Nations for the Establishment in connection with the League of

⁴⁸ Miller, *Lobbying the League*, p. 11-12.

⁴⁹ Vellacott, *A Place for Pacifism and Transnationalism in Feminist Theory*, (p. 30).

⁵⁰ *Ibid.*, (p. 38.).

⁵¹ Wiltsher, *Most Dangerous Women*, p. 211.

⁵² Miller, ‘Lobbying the League’, p. 20.

⁵³ *Ibid.*, p. 26.

Nations of an International Women's Conference, holding annual meetings, and of an International Women's Office'⁵⁴ that she submitted to the Caxton Hall Conference. This was essentially a proposal for the creation of an organisation whose aims were very similar to the WILPF's, but which had the official sanction and support of the League. Its ten aims were also representative of Macmillan's own feminist concerns and ideology at the time and were wide in breadth and ambition.

This proposal also may suggest that Macmillan wished and advocated for a more official status for feminist organisations like the WILPF, rather than continuing as an unofficial auxiliary organisation. Such an aim speaks to the increased professionalism of Macmillan's activism during this time period, and suggests a wish to enter the political sphere on a more formal footing, as part of mixed-sex activist organisations. Her proposals reflect the ideals of the WILPF, and interestingly Carol Miller argues that Macmillan's proposals 'set forth principles very similar to those which were eventually to guide the work of the United Nations Status of Women Commission.'⁵⁵ This was the organisation set up in 1947, at which Elsie Bowerman would act as secretary. This correlation between Bowerman and Macmillan's activism, although a distance apart in time, suggests a certain analogy between their feminist ideals.

Despite these principles being widely supported by many feminists, both in the UK and beyond, Macmillan's plan received 'little support' either at the Caxton Hall Conference⁵⁶, or later when she was part of a delegation that met with the Secretary-General of the League of Nations, or at the IWSA Congress in June 1920 when a resolution supporting Macmillan's plan was defeated. Consequently, the League eventually came into

⁵⁴ 'Letter From Miss Chrystal Macmillan To Millicent Garrett Fawcett', August-September 1919, 7MGF/A/1/205 (London), London School of Economics, Women's Library, Papers of Millicent Garrett Fawcett.

⁵⁵ Miller, *Lobbying the League*, p. 31.

⁵⁶ *Ibid.*, p. 31-2.

official existence in January 1920 without an official and dedicated women's office. The failure of Macmillan's proposal indicates that international intergovernmental organisations such as the League of Nations preferred to work with women's organisations on an *ad hoc*, unofficial basis.

Joining an Inn and Being Called to the Bar: Macmillan and Bowerman's Entry into the Legal Profession

Until the Sex Disqualification (Removal) Act 1919, women could not practise as barristers or solicitors, despite the first woman to earn a law degree, Eliza Orme, having done so in 1888. Mari Takayanagi has analysed the passage of the Sex Disqualification (Removal) Act 1919 in detail, tracing its legislative emergence from the far more radical Women's Emancipation Bill.⁵⁷ The Women's Emancipation Bill sought to equalise franchise and allow women to sit in the House of Lords, alongside removing the disqualification for women to hold civil and juridical posts. Macmillan was an enthusiastic supporter of the Bill, which easily passed its second reading in the House of Commons, but it was too radical for the government.⁵⁸ As a result, the government was forced to introduce the Sex Disqualification (Removal) Act in order to sink the initial Bill. While this Act has been critiqued by many historians for its inadequacies, it did mean that women were able to practice as barristers or solicitors.⁵⁹ The first women barristers were called in 1922; both Macmillan and Bowerman qualified in 1924.

In the century since women entered the legal profession, much of the academic literature has focused on gaining access and the initial 'firsts', ignoring the challenges

⁵⁷ See: Takayanagi, Mari, 'Parliament and Women, p. 38 – 78.

⁵⁸ In a meeting at the Women's Co-operative Guild in Middlesbrough, Macmillan moved a resolution asking for the Government's support of the Bill. ('House and Home', *Hull Daily Mail*, 3 July 1919, p. 6.).

⁵⁹ See Takayanagi, Mari Catherine, 'Sacred Year or Broken Reed? The Sex Disqualification (Removal) Act 1919', *Women's History Review*, 29.4, (2020), 1–20. for a discussion of historians' criticism of the Act. It also allowed women to sit on juries and as Justices of the Peace.

women faced after admission.⁶⁰ More recently, the *First 100 Years* project has charted the role of women in law over the last century, collating short biographies of women such as Eliza Orme, Elizabeth Lane and contemporary women including Fiona Woolf.⁶¹ While work of this nature is important, it also exposes a gap in our understanding of early women lawyers—of women like Bowerman and Macmillan, who perhaps did not attain conventional success as early women barristers and did not achieve crucial ‘firsts’ for women. Innovative academic work has begun to bridge this gap, and this thesis seeks to continue this by adding more complexity and dimension to this area.⁶²

This thesis contributes to addressing another under-researched element: the link between the women’s movement and early women lawyers. Macmillan and Bowerman demonstrate how these activist connections were interwoven with their professional careers as barristers. Both women were heavily involved in feminist organisations throughout their lives, but how far these activist connections translated to their professional careers as barristers needs careful assessment. Auchmuty has argued in favour of such links: ‘the interconnectedness and mutual support of the feminist groups and campaigns at the time and the overarching feminist politics that located women’s efforts to enter the legal profession within a wider struggle against male domination of public life.’⁶³ This then raises a further question: were Macmillan and Bowerman’s motives for entering the legal profession feminist in nature? Did they aspire to break down barriers or pave the way for other women, rather than fulfil purely personal ambitions to succeed as barristers?

⁶⁰ Polden, ‘Portia’s progress’, (p. 293).

⁶¹ ‘First 100 Years | Celebrating Women In Law’, *First100years.Org.Uk* <<https://first100years.org.uk>> [Accessed 4 August 2018].

⁶² See: Bourne, *Helena Normanton*; Mossman, ‘Telling the Stories of Women in Law’; Mossman, *The First Women Lawyers*; Heilbron, *Rose Heilbron*; Mossman, ‘Precedents, Patterns and Puzzles: and Rubenstein, Kim, ‘Alive in the Telling: Trailblazing Women Lawyers’ Lives, Lived with Law’, *Law Text Culture*, 20 (2016), 66–92, and the special issue on ‘Challenging Women’, *Women’s History Review*, 29.4 (2020), 549–758 for other examples of recent work on the subject.

⁶³ Auchmuty, ‘Whatever happened to Miss Bebb?’, (p. 215.).

Mossman casts doubt on this idea of feminists infiltrating the profession to challenge sexism from within, stating that ‘gender remains deeply embedded within traditional legal norms and professional cultures.’⁶⁴ However, this thesis complicates Mossman’s rejection of this idea. Gender is not only embedded within the professional culture of law, but also permeates throughout the system as a whole—women defendants, women witnesses, women court officials all interact with the legal apparatus in ways that differ from men. Early women lawyers had to navigate this gendered landscape while also pursuing their careers. Therefore, challenging sexism within the profession and working for feminist activism outside it added to the burden placed upon early women barristers. Macmillan and Bowerman’s differing approaches to challenges within law speaks volumes about their conceptions of feminism and professionalism. They continued to develop their identities, while simultaneously manoeuvring the difficulties faced by women professionals and activists. This section will trace Macmillan and Bowerman’s entry to the legal profession, and the tensions that this new career had with their activism.

Bowerman connected her activism work with her legal aspirations in her memoir. She wrote that ‘all this public work led me to feel that it would be an advantage to be a qualified lawyer, so I duly joined Middle Temple and was among some of the first women called to the Bar in 1924.’⁶⁵ This suggests that Bowerman entered law to further her public work, rather than as a career by itself. As a consequence of her personal aims, Bowerman gave herself some leeway in which professional expectations she expected herself to adhere to, and also in her ability to effect change from within law. Her statement that she was ‘among some of the first women called to the Bar’ is also suggestive—Bowerman clearly knew that being an early woman barrister was a historically momentous opportunity. It

⁶⁴ Mossman, *The First Women Lawyers*, p. 5.

⁶⁵ Bowerman, Elsie, ‘Reflections Of A Square’ (High Wycombe), Wycombe Abbey School Archive, The Bar Chapter, p. 1.

suggests that her experience within this early cohort shaped the development of her self-identity as a professional.

It was between her admission at Middle Temple, and her call to the Bar in 1924, that Bowerman's activism began to take on a more legal bent. This change may have been because of her new status as a law student—now she was on the route to qualification she needed to adjust her activism to assimilate with her new role. Bowerman spoke often on issues of citizenship and legislative reform in her role as co-founder of the WGE.⁶⁶ These speeches frequently offered a gendered critique of society; 'things at the present time were in a nice mess through the men muddling things up, and women now had made up their minds to help them out.'⁶⁷ This implies that Bowerman wanted access to the political sphere in order to right the wrongs that she believed men had created, rather than to seek the wholesale reform of the political system.

Less is known about Macmillan's time as a law student, although it is clear from her long-standing legal expertise as well as her efforts to eradicate inequalities under the law that she had long been interested in embarking on a legal career. Macmillan had been a prominent campaigner for opening the profession to women prior to the outbreak of hostilities in 1914, and her legal activism resurged after peace was declared. She urged 'the Government to secure Women's right of entry to the Legal Profession without delay.'⁶⁸ Macmillan's legal activism went beyond securing the admission of middle-class, professional women to the law; she also advocated that magistrates should not have the power to order women from courtrooms unless men were also ordered to leave,⁶⁹ argued for the extension of juror service to married women, and suggested 'that in cases in which a

⁶⁶ 'The Women's Guild of Empire: Miss Bowerman at Uddingston', *Bellshill Speaker*, 23 March 1923, p. 5.; 'The Women's Guild of Empire', *Motherwell Times*, 7 November 1924, p. 2.; 'Women's Guild of Empire', *Fife Free Press & Kirkcaldy Guardian*, 31 March 1923, p. 6.

⁶⁷ 'Shorter Working Day for Housewives', *The Sunday Post*, 3 October 1920, p. 9.

⁶⁸ 'Women and the Legal Profession', *The Vote*, 2 May 1919, p. 1.

⁶⁹ 'Exclusion of Women From Police Courts', *The Vote*, 11 October 1918, p. 4.

woman juror is challenged her place should be taken by another woman.’⁷⁰ She also continued to focus on the importance of education, lecturing on women in the legal profession at the NUSEC Summer School in 1919.⁷¹ Macmillan argued that ‘the distinction as regards sex ... ran through a great deal of our present law, and to the attitude of magistrates towards women. It was very important to have the women’s point of view brought forward.’⁷²

In this sense, Macmillan’s legal activism was as broad as her more general feminist activism; she wanted substantial reform of the justice system, and not just the chance for women to practise as solicitors or barristers. Like her attitude towards franchise, she recognised the symbolic and material importance of women lawyers, but also thought that sexism permeated the law in ways far beyond the exclusion of women from the legal profession. Unlike Bowerman, Macmillan did not leave a repository of personal papers or write a memoir during her lifetime, and as a result, less is known about her time as a Bar student. Records of her exam results in feminist publications are some of the few sources that document her studies.⁷³ This documentary gap may give insight into Macmillan’s professional development; it could imply that she was so committed to the Bar’s cultural conventions about self-advertisement that even as a student that she did not write about her studies. However, what is more likely, given Macmillan’s industrious activism work both nationally and internationally during this period, is that her focus continued to be upon feminist activism rather than her legal education. This suggests that Macmillan’s professional development as a lawyer was intricately linked to her activism. Macmillan’s

⁷⁰ ‘To-day’s Story’, *Hull Daily Mail*, 26 September 1921, p. 4.

⁷¹ ‘Timetable of N.U.S.E.C. Summer School’, *The Common Cause*, 25 July 1919, p. 14.

⁷² ‘Women and the Law’, *Cambridge Daily News*, 11 August 1919, p. 3.

⁷³ For example: ‘Congratulations’, *The Common Cause*, 4 November 1921, p. 6.; ‘Women and the Bar’, *International Women Suffrage News*, 2 December 1921, p. 12; ‘Bar Examination Results’, *The Common Cause*, 20 January 1922, p. 1., and ‘More Women Barristers’, *The Vote*, 18 January 1924, p. 2.

legal expertise had long been acknowledged in feminist circles; her entry into the legal profession was a way to formalise this expertise.

To become a barrister, a person must first be admitted to one of the four Inns of Court: Lincoln's Inn, Gray's Inn, Inner Temple or Middle Temple.⁷⁴ Both Macmillan and Bowerman were members of Middle Temple. Interestingly, a contemporary report stated that 'Middle Temple continues to attract most women students, and has, in fact, more women students than the other three Inns combined.'⁷⁵ Bowerman was formally admitted at Middle Temple on 11 October 1921.⁷⁶ The week before, she had received notice of her acceptance and been asked to pay '£50:6:3, and the deposit money' by the Under Treasurer of Middle Temple, Henry Beresford-Peirse.⁷⁷ In the early 20th century students had to submit testimonials as proof of their good character. Bowerman's were from Edward Domett Shaw, the Assistant Bishop of Christchurch, Oxford who pronounced her 'a lady of respectability and a proper person to be admitted as a Student of the Honourable Society of the Middle Temple',⁷⁸ and her former lecturer at Girton College, Katharine Jex-Blake.⁷⁹ The choice of these two people to vouch for her good character represents facets of Bowerman's public persona: one was a respected member of the clergy, firmly entrenched in a conservative society, the other was an educational pioneer with links to radical feminist campaigns. Taken

⁷⁴ Abel, *The Making of the English Legal Profession*, p. 37.

⁷⁵ 'Women's Bar Successes', *The Vote*, 8 June 1923, p. 3.

⁷⁶ 'Register of Admissions to the Honourable Society of the Middle Temple, Volume III 1910 to 1944'. (London), Middle Temple Library, p. 862. <<http://archive.middletemple.org.uk/Shared%20Documents/MTAR/MTAR%20-1910-1944.pdf>> [accessed 19 June 2019].

⁷⁷ 'Letter from Henry Beresford-Peirse, Under-Treasurer Inner Temple to Elsie Bowerman, 6 October 2021, 7ELB/B/1/09'. (London), London School of Economics, Women's Library.

⁷⁸ 'Admissions forms & papers, Elsie Bowerman Testimonials 1921'. (London), Middle Temple Library.

⁷⁹ *Ibid.*, Interestingly, Katharine's aunt was Sophia Jex-Blake, who herself was a pioneer in women's higher education, having fought to be admitted to study medicine at the University of Edinburgh in 1869. See: Blake, Caroline, *The Charge of the Parasols: Women's Entry to the Medical Profession* (London: Women's Press, 1990) p. 91 – 156. for a full exploration of Sophia Jex-Blake's attempt to study medicine.

together, they seem an almost contradictory mix, but they also clearly represent Bowerman's conservative and middle-class sympathies, combined with her feminism.⁸⁰

Admission to an Inn was only one of the steps to qualification. Throughout the 19th century, there had been various legislative attempts at reforming the admission and education of prospective barristers. The Inns of Court had 'slowly and grudgingly' improved the educational opportunities on offer.⁸¹ Since 1872, Bar students had been required to take compulsory examinations in order to be called.⁸² They also had to 'keep terms', that is, dine at their Inn 'a specified number of times.'⁸³ The required examinations consisted of two sections, both compulsory for all non-law graduates. The first section consisted of '(1) Roman Law, (II) Constitutional Law and Legal History, (III) Contract and Tort, and (IV) Real Property or Hindu and Mohammeden Law or Roman-Dutch Law.'⁸⁴ The second section was '(I) Criminal Law, (II) Common Law (specialist subjects), (III) Equity, (IV) Company Law and either Conveyancing or Special subjects in Hindu Law, or Mohammeden Law or Roman-Dutch Law, (V) Evidence and General Procedure and (VI) General Paper.'⁸⁵ Bowerman and Macmillan passed these examinations in order to be called to the Bar in 1924. Being called to the Bar was the final stage in qualifying as a barrister, and after call, Bowerman and Macmillan were able to practise as barristers.

The feminist press noted examination passes by women law students in the 1920s, and Bowerman and Macmillan were no exception to this.⁸⁶ Such congratulations illustrated

⁸⁰ Unfortunately, Middle Temple archive does not have records of Chrystal Macmillan's testimonials.

⁸¹ Abel-Smith and Stevens, *Lawyers and the Courts*, p. 76.

⁸² Cocks, *Foundations of the Modern Bar*, p. 2.

⁸³ Abel, *The Making of the English Legal Profession*, p. 38.

⁸⁴ Bourne, *Helena Normanton*, p. 96, quoting information supplied by Theresa Thom, Gray's Inn, and Guy Holborn, Lincoln's Inn.

⁸⁵ *Ibid.*, quoting information supplied by Theresa Thom, Gray's Inn, and Guy Holborn, Lincoln's Inn.

⁸⁶ 'Women's Bar Successes', *The Vote*, 8 June 1923, p. 3.; 'Prospective Women Barristers', *The Common Cause*, 5 May 1922, p. 2.; 'Women Barristers', *The Vote*, 4 November 1921, p. 4.; 'Our Own Lawyers', *The Common Cause*, 18 January 1924, p. 7.

the importance of women legal professionals to the women's movement. For Macmillan in particular, it cemented her status as a legal expert within the women's movement. *The Common Cause* noted that 'Miss Macmillan's legal knowledge has long been regarded with awe by members—which awe will now be redoubled by its having received the seal of examination.'⁸⁷ Macmillan's legal qualifications were then interpreted as an official seal of approval by many within the women's movement, her shift towards more legally focused activism given added weight by her student status. Bowerman's results similarly were noted in the press although, perhaps because of her lower legal profile, she was not idolised by the mainstream feminist movement in the same way that Macmillan was.⁸⁸

In his pioneering study on the English legal profession, Richard Abel states that 'from the outset' the examinations were considered easy, but the time required to study for each test varied from a couple of months to two years.⁸⁹ Even if by the 1920s, the examinations were still considered simple, it is clear that the study time required was substantial. Despite this commitment, during the time in which she was studying for these examinations Bowerman travelled widely, speaking for the WGE in locations as far afield as Wales⁹⁰ and Scotland.⁹¹

Similarly, between Macmillan's admission to Middle Temple in November 1920 and her call to the Bar in January 1924, she also remained devoted to her activism.⁹² She attended conferences and congresses both national and international,⁹³ continued to speak at

⁸⁷ *Ibid.*

⁸⁸ 'Bar Examination', *The Common Cause*, 19 January 1923, p. 1.

⁸⁹ Abel, *The Making of the English Legal Profession*, p. 42.

⁹⁰ 'Work in the Colonies: Migration to Relieve Burden of Unemployment', *Western Mail*, 27 June 1922, p. 9.

⁹¹ 'The Women's Guild of Empire: Open-Air Meeting at Mossend', *Bellshill Speaker*, 19 August 1921, p. 3.

⁹² 'Register of Admissions to the Honourable Society of the Middle Temple, Volume III 1910 to 1944'. (London), Middle Temple Library, p. 858.

⁹³ See: 'Jury Service Points', *Sheffield Daily Telegraph*, 30 September 1921, p. 3.; 'Women in the League of Nations', *Vote*, 28 October 1921, p. 6.; 'Women and Equal Citizenship', *Dundee Evening Telegraph*, 8 March 1922, p. 3.; 'Next Month's Conferences', *The Common Cause*, 2 November 1923, p. 7.; 'The Rome Congress', *Vote*, 29 December 1922, p. 5.

meetings,⁹⁴ and also appeared as a witness for the Joint Select Committee on the Guardianship, Maintenance, Custody and Marriage of Infants Bill in 1922.⁹⁵

Both Bowerman and Macmillan's devotion of much of their time to activism is indicative of the importance they placed upon their political work. Bowerman frequently travelled the country speaking at WGE events, and set up a London office for the Guild⁹⁶. Macmillan attended meetings put on by feminist organisations in England and abroad. This begs the question as to how dedicated they were to their studies—when were they revising for their examinations? Cocks notes that crammers were often employed by students to help them prepare for their examinations.⁹⁷ However, whatever method Bowerman and Macmillan used in order to pass the compulsory tests required for them to be called to the Bar, the fact that they were spending so much time out of London and working on political activism is indicative of how they conceived of themselves at this time: it is clear they saw themselves as professional activists.

Conclusion

In conclusion, Macmillan and Bowerman's entry to the political and professional sphere culminated in their call to the Bar in 1924. In the years between the partial enfranchisement of women in 1918 and their admission to the legal profession, both women evolved their activism within the parameters of their new professional domain. Both their activist and legal identities were entangled together; they legitimised their political work with their status as law students, and in turn their knowledge of complex legal concepts and advocacy skills enhanced their political arguments. For Macmillan, this included equality for women under

⁹⁴ 'The Status of Women: Meeting at the Garden Suburb', *Hendon and Finchley Times*, 9 March 1923, p. 9.

⁹⁵ 'The Joint Committee on the Guardianship of Infants Bill', *The Common Cause*, 28 July 1922, p. 6.

⁹⁶ 'Miss Elsie Bowerman' *Hastings and St Leonards Observer*, 25 November 1922, p. 7.

⁹⁷ Cocks, *Foundations of the Modern Bar*, p. 181-2.

national and international law, and an effort to educate women on how to best utilise their new status as enfranchised citizens. Bowerman continued to build grassroots support in the West Country for her platform of anti-communist and anti-German policies, and also transitioned into a more professional role as Christabel Pankhurst's election agent. However, both moved towards a feminist critique of the relationship between women and the legal system within their activism, and in completing their legal education and being called, they gained a greater understanding of this relationship.

Being a law student afforded Bowerman a certain image that commanded a level of respect from many local branches of the WGE that she visited. It also enabled her to speak on issues of law, legislative reform and trade union issues with a certain degree of authority that she may not have had, had she not been studying law. This could then further the impact of the Guild's political reform ambitions. Indeed, when discussing a Guild-supported idea of ensuring industrial disputes were kept at a minimum by instituting a system of secret ballots, Bowerman stated that the Guild supported a "Secret Ballots Bill", 'and deputations of women had already interviewed several M.P.'s on the subject.'⁹⁸ Bowerman's knowledge of industrial relations from her time spent attempting to stop strike action during the war, as well as her legal education which gave her intricate knowledge of parliamentary procedure, gave the Guild a perfect platform on which to build their organisation's political influence. Indeed, in her local newspaper, the *Hastings and St Leonards Observer*, her new status as a law student was noted, along with the fact that she dined with 'H.R.H the Prince of Wales at the Temple.'⁹⁹ Studying law cemented Bowerman's status as a respected activist. She was called to the Bar in November 1924, bringing the total number of women barristers in England and Wales to 41.¹⁰⁰

⁹⁸ 'Aberdour', *Fife Free Press and Kirkcaldy Guardian*, 6 August 1921, p. 5.

⁹⁹ 'Miss Elsie Bowerman', *Hastings and St Leonards Observer*, 25 November 1922, p. 7.

¹⁰⁰ 'More Women Barristers', *The Vote*, 21 November 1924, p. 2.

Macmillan's activism, already professional in nature, became even more so as she continued to build upon the international connections developed during the war. In doing so, she established herself as an important activist figure both nationally, in the UK, and internationally, becoming an expert on women's legal inequalities and particularly focusing her attention on the issue of married women's nationality. By further professionalising her activism, Macmillan developed an impressive transferable skill set that she utilised later on in her career as a barrister. Accordingly, her political activism informed the creation of herself as a lawyer, meaning that Macmillan could never separate her political and professional selves completely. This may not have been something she aspired to do; for Macmillan, her career as a lawyer was intimately bound up with her feminist activism. Her knowledge of the law and identification as a legal expert was incredibly helpful in the achievement of the reformist aims she pursued. Her decision to become an early woman barrister trailblazed the path for other women to follow, and any successes she had in law were feted by the feminist movement as proof that women professionals were a viable option for womanhood. Therefore, it was not only her activist skill set that was transferable to her professional persona, but also facets of that identity.

Both women rose to the challenge of studying for and being called to the Bar while also maintaining an impressive amount of activism work throughout their studies. The advent of the electoral franchise for some women necessitated a diversification of focus for feminist activists, and both Bowerman and Macmillan found niche causes to make their own. Macmillan's campaign for women's inclusion within the new transnational League of Nations is indicative of her broad approach to international feminist activism. Bowerman focused closer to home, by working to establish the Women's Party and in her efforts to get Christabel Pankhurst elected as an MP. Increasingly, both took on roles laden with responsibility that required a professional, organised approach. Such professionalism would carry into the legal careers that Bowerman and Macmillan embarked upon.

Chapter Five: Chrystal Macmillan: Maintaining an Activist Identity as a Barrister

This chapter will focus solely on Chrystal Macmillan, allowing for an in-depth look at how she developed her professional identity as a qualified and practising barrister while also maintaining her role as a busy feminist activist. In doing so, it will examine her legal work, looking at her adherence to some of the profession's traditions while she also challenged the institutionalised sexism within law. It will delve into Macmillan's primary focus in her activism during this time: married British women's nationality. This campaign integrated her legal knowledge and skills as well as utilising her international feminist connections to facilitate this reform. This focus on Macmillan will illuminate a crucial period in the development of both her professional and political identity.

Work as a Barrister

Upon her call to the Bar in January 1924, Macmillan's career had reached a transitional moment. She was a prominent and respected feminist activist and an active member of numerous feminist organisations and committees. She was also, both in feminist circles and the political mainstream, a renowned legal expert. However, in 1924, she was entering a new career: becoming a barrister. Macmillan needed to reconstruct her professional identity, one still closely linked with her feminist and legal activism, if she was to succeed as a practising barrister. This was difficult for several reasons, but the primary difference was to Macmillan's conception of herself as an activist outsider. This was contrary to the entire ethos of the Bar: barristers were a distinct and exclusive entity. Macmillan struggled with this partly because as a woman, she did not fit neatly into this entity. But she also exacerbated this outsider status with her continued activism that differed from the norm of the barrister-political relationship, that of the barrister MP.

In doing so, Macmillan had to negotiate a profession that had only recently removed its formal barriers of entry for women with the Sex Disqualification (Removal) Act 1919, and was still nearly entirely male. Eleven women were called to the Bar in 1922. By 1931, 79 women declared themselves as barristers; this only equates to 2.7% of the Bar overall.¹ These low numbers of early women barristers suggest that there were still many informal barriers that prevented women from entering and succeeding in the legal profession. Many factors affected a barrister's success or failure, such as whether they were regularly being instructed by solicitors and whether their clerk was successful at negotiating and administering the barrister's services to said solicitors. A gendered analysis of this complex and evolving system is crucial to understanding the world into which early women barristers stepped. This thesis will seek to offer such an analysis. As Enid Rosser Locket, a barrister who practised at the same time as Macmillan, noted in her unpublished memoir, 'finding a pupillage and setting up in chambers was not difficult for men between the wars. It was for women.'² Women barristers were new and untested; the overwhelmingly male clerks and solicitors were not predisposed to offer work to them.

Another factor that affected Macmillan's professional identity was her age (52 when she was called to the Bar). This set her apart from some of the younger women barristers such as twenty-eight-year-old Rosser. Macmillan's background as a prominent feminist contrasted with Rosser's distance from both the suffrage campaign and first-wave feminism, and Rosser herself identified more with the difference-centred 'New Feminism' of the 1920s.³ Macmillan's feminism was based on strict gender equality between men and women,

¹ Abel, *The Making of the English Legal Profession*, p. 80.

² 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p 260. Enid Locket *nee* Rosser (1899-1990) was called to the Bar in 1927, practised on the South-Eastern Circuit and eventually became a legal advisor to the John Lewis Partnership. She was a contemporary of both Macmillan and Bowerman and her memoir detailing her life is held at the Women's Library, LSE.

³ Rosser is probably the 'E. R.' who authored 'Women and the Legal Profession' for St Hugh's Chronicle in 1938/9, an article which exposes the continued gendered inequality within the legal profession. This article suggests Rosser did have feminist leanings. See: E.

and the belief that women could do everything men could. New feminism, popularised by Eleanor Rathbone, 'believed that equality between the sexes was reconcilable with an acceptance of very different social roles for men and women.'⁴

Despite the differences in their feminist beliefs, they shared the common thread of gender, and both experienced sexism during their career. Macmillan was probably given advice similar to the one that Rosser recounts in her memoir: 'They [male barristers] all urged to start at the Criminal Bar because there was always some work to be picked up if only Dock Briefs and minor prosecutions which came your way by virtue of being a member of the Bar Mess attached to the Old Bailey and the Quarter Sessions of whatever Circuit you joined.'⁵ Macmillan did both of these, she was the second woman member of the Western Circuit and she appeared at the Old Bailey. Despite following these recommendations, Macmillan never succeeded, in the traditional sense, as a barrister, although as previously mentioned the concept of success itself is loaded. Her work appears to have been fragmentary, and the records in the Central Criminal Court books suggest that much of it originated from dock briefs, rather than from instructions from solicitors. This lack of success is not surprising, given her gender, age, and her feminist background. As her fellow barrister, Helena Normanton, wrote to the London and National Society for Women's Service in 1933, 'I know personally far too many women in both branches who have never been able to make even a start in practice to think it at all wise to encourage more women to come into [the law] unless they have ample private means to sustain themselves during their period of waiting.'⁶

R., 'Women and the Legal Profession', *St Hugh's Chronicle* 1938/9, no. 11., p. 11 – 15. <https://issuu.com/sthughscollgeoxford/docs/chronicle_1938-1939> .

⁴ Pederson, Susan, 'The Failure of Feminism in the Making of the British Welfare State', *Radical History Review*, 43 (1989), 86–110 (p. 86.).

⁵ 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p 260.

⁶ 'Letter from Helena Normanton to the London and National Society for Women's Service, 7HLN/F'. (London), London School of Economics, Women's Library.

This therefore begs the question: how did Macmillan support herself? When her father, John Macmillan, died in 1901, he left her £4,000 to be given to her within six months of his death, and a share in his property, Corstorphine Hill House, as well as giving his trustees the discretion to make provisions for his children ‘in so far as they may find it necessary.’⁷ From this it seems that Macmillan had private means of income, and did not have to rely on her law practice to sustain her. This suggests that crucial to Macmillan’s professional identity was her financial security, which gave her more freedom in the construction of her career.

Tracing Chrystal Macmillan’s work as a barrister is difficult for several reasons. First, Macmillan did not leave a centralised archive deposit and the vast majority of her published writings and archived papers relate to her activist work rather than her legal work. The reason for this absence may be due to the strict ‘self-advertising’ rules that barristers were expected to follow, rules that fellow early woman lawyer Helena Normanton fell foul of.⁸ Many other early women barristers conformed to this long-standing tradition, assimilating to the male standard of what was expected of them, and Macmillan’s lack of records relating to her legal career may be because of this.

Secondly, much of Macmillan’s legal practice was centred in London at the Central Criminal Court, more famously known as the Old Bailey. While the Court Books for the Old Bailey during Macmillan’s time in practice are kept at the National Archives, not all are open access.⁹ Of the 19 Central Criminal Court books that cover the time period of

⁷ Will of John Macmillan of Corstorphine Hill House, Midlothian, UK (1901), (Edinburgh Sherriff Court: Public Record Office: Reference: SC70/4/331, p. 265-281.

⁸ Bourne, *Helena Normanton*, p. 122.

⁹ For example: ‘Central Criminal Court: Court Books’. (London), CRIM 6/NA, The National Archives, Kew. The earliest Court records that cover the time period of Macmillan’s career are from September 1923 - October 1926, REF: CRIM 6/27. This record is open. However, the records that cover November 1926, February 1930, REF: CRIM 6/28 are closed until 2031. The records that cover February 1930 - October 1932, REF: CRIM 6/29 are closed until 2033. The records that cover November 1932 - January 1936, REF: CRIM 6/30 are closed until 2037.

Macmillan's legal practice, only eight are available for examination. Out of those eight, Macmillan is only mentioned in the records of the Second Court covering the period from 1925 – 1927 when she defended an Agnes Violet Flack in a legal aid case for 'endeavouring to conceal birth of [a] child.'¹⁰ While she may have appeared as counsel in other cases recorded in Court Books that are not yet available for access, the fact that she is only mentioned once suggests that her practice was not overly busy. Kay and Pipes argue that 'the bulk' of Macmillan's work occurred at the London Sessions; she appeared in 70 Poor Persons' Department cases between 1927 and 1936, although they perceptively note that the value of these cases can 'only be measured in terms of the experience they were afforded, since the income they produced was either non-existent or very modest.'¹¹ Macmillan was not alone among her cohort of early women barristers in seldom appearing in the Old Bailey: only Venetia Stephenson and Helena Normanton appeared as counsel during 1924-1935. Accordingly, much of the relevant source material for Macmillan's career has been found via newspaper reports. Women barristers were still a novelty in the 1920s, and press reports about them were not infrequent. As Enid Rosser wrote; 'Women advocates were News.'¹²

From the newspaper reports of Macmillan's work in the Old Bailey, it is clear that some of the reports did focus on the novel aspect of her legal practice. In June 1929, she was part of a 'first' at the Old Bailey as she and another woman barrister, Rita Rueben, appeared opposite each other in a case for the first time at the court. Michael Shea, a carman, was charged with causing grievous bodily harm. Shea applied for legal aid, and the Recorder at the Court, Sir Ernest Wild, K. C., 'assigned the defence to Miss Chrystal Macmillan.'¹³ It is tempting to wonder why Sir Ernest assigned this case to Macmillan—did he do so in the

¹⁰ 'Second Court, Central Criminal Court: Court Books CRIM 6/67, February 1925 - December 1927'. (London), The National Archives, Kew, p. 432-433.

¹¹ Kay and Pipes, 'Chrystal Macmillan, Scottish Campaigner for Women's Equality, p. 731.

¹² 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p. 275.

¹³ 'Women Counsel Opposed', *The Yorkshire Post*, 29 June 1929, p. 17.

knowledge that he was setting a precedent? Whatever the reason, Shea's accuser admitted in the witness box that she had lied to police, and Shea 'was found not guilty and discharged.'¹⁴

Sir Ernest Wild was evidently impressed by Macmillan. In one case he described a speech she made in defence of a prisoner as 'making bricks without straw.'¹⁵ Although on first reading this statement could appear to be a backhanded compliment, it appears that Wild was genuinely impressed with Macmillan's legal arguments. He added that 'The efforts of the children of Israel were nothing compared with the difficulty she experienced.' This praise testifies to Macmillan's skillful advocacy, honed throughout her activism and then in her training for the Bar. It seems that the press thought so too; Wild's assessment of Macmillan was reported in both regional newspapers and the feminist press.¹⁶ Her suffrage past was omnipresent, it was reported (wrongly) that 'in earlier years she was a Suffragette.'¹⁷ However, the clear public perception of Macmillan as a suffrage activist implies that her identification with reformist politics remained dominant, even when reports centred on her legal work. This is indicative of her wider professional and political identities; they were inevitably intertwined on account of her continued feminist legal activism, but her political identity remained her more noteworthy persona.

Intriguingly, in fellow early woman barrister Enid Rosser's encounters with Sir Ernest, she stated that 'he did not take kindly to female Barristers and I found that he was always only too ready to make me look ridiculous when it was my fate to appear before him.'¹⁸ This does not appear to be the case with Macmillan, and again adds weight to her

¹⁴ 'Women Counsel', *The Daily Herald*, 29 June 1929, p. 2.

¹⁵ 'Woman Barrister Praised', *Portsmouth Evening News*, 17 January 1931, p. 8.

¹⁶ 'Portia's Bricks without Straw', *The Daily Herald*, 17 January 1931, p.7.; 'Woman Barrister Praised', *Portsmouth Evening News*, 17 January 1931, p. 8.; 'Old Bailey Compliments', *Vote* 23 January 1931, p. 2.

¹⁷ 'Woman Barrister Praised', *Portsmouth Evening News*, 17 January 1931, p. 8.

¹⁸ 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p 285-6

skilful advocacy: if Wild was not in favour of women barristers, his praise of Macmillan is extraordinary. However, Macmillan's age may have been a factor in Wild's praise of her; she was older than the average women barrister and it may have been harder and more inappropriate for Wild to belittle her than her younger contemporaries.

Macmillan appeared in other cases at the Old Bailey; she was 'chosen from the Dock to defend' a butler-valet who pleaded guilty to a charge of forging cheques.¹⁹ In her plea in mitigation, she mentioned the defendant's 'good Army record, having being awarded the D. C. M. [Distinguished Conduct Medal]'. She also defended a man who had attempted to plead guilty to manslaughter: the judge advised him to plead not guilty, and appointed Macmillan to defend him. The judge directed a not guilty verdict and he was discharged.²⁰

Although there are not many records left of the cases in which Macmillan was involved, we can draw some inferences from those that remain. She probably had some civil cases, but these were much less likely to be reported. It seems that she was, more often than not, assigned criminal cases as a dock brief. A dock brief was when a prisoner accused of a felony, and who could not afford their own counsel, instructed a barrister from the dock, without the intervention of a solicitor. They selected their counsel from barristers who were fully gowned and present in court, but sat facing away from the prisoners. The barrister would receive a fee of £1.5.6d. This method often meant that it was difficult for prisoners to ascertain the gender of the barrister selected. Therefore, a dock brief could potentially bypass the gendered discrimination that women barristers may have experienced from clerks or solicitors. The nature of dock briefs, being impromptu cases, entailed a lot of waiting around courts. Macmillan would have had to be present in court to be in with a chance of being assigned a dock brief, something that would have taken a lot of time, and that she would not have needed to do had she been regularly instructed by solicitors.

¹⁹ 'Blackmailed Prisoner', *The Scotsman*, 18 July 1928, p. 7.

²⁰ 'Pleaded Guilty, but Set Free', *The Daily Herald*, 19 June 1931, p. 7.

The other cases that Macmillan seemed to attract were those under the Poor Prisoners Defence Act 1903, which gave courts the power to grant legal aid to a prisoner who could not afford counsel when it was ‘desirable in the interest of justice.’²¹ Again, this was another means by which Macmillan could work while also bypassing the need for solicitors or clerks who would potentially be unfavourable towards giving women barristers work. Marshall Freeman, Macmillan’s former head of Chambers, noted in a tribute to her written after her death that ‘she was an indefatigable worker ... never happier than when handling a case for the Poor Persons’ Department, and untiring in her determination to secure justice if the opposite seemed to threaten.’²² While this assessment is not surprising, considering Macmillan’s lifelong commitment to political activism, it may be that her ‘choice’ of these cases was less of a choice and more of a necessity in order to maintain her practice. This is reminiscent of Margaret Thornton’s critique of the illusory nature of the neutrality of law: male practitioners such as Freeman saw freely-made decisions where there were none, simply because they perceived law, and by extension the legal profession, as a disinterested force.²³ Such an analysis stripped women lawyers of the context in which they operated as professionals. It also fetishised individual good work without engaging critically with the gendered challenges faced within law. Early women barristers, including Macmillan, had to have a different perception.

In addition to this consistent and institutionalised sexism, women were not equipped with the legal cultural education that their male counterparts had. The majority of male barristers had the shared experience of attending public boys’ schools, followed by Oxbridge, and middle-class men were accepted as professionals by society. Women’s

²¹ For a fuller discussion of legal aid provision reform during the 20th century, see: Alcock, Peter Christopher. 2021. ‘A Study of Legal Aid and Advice in England and Wales’ (unpublished PhD Thesis, Sheffield Hallam University).

²² Freeman, Marshall, ‘Miss Chrystal Macmillan Appreciations’ *The Times*, 23 September 1937, p. 14.

²³ Thornton, *Dissonance and Distrust*, p. 14.

educational past had a far shorter and less illustrious history, and women professionals were still seen as somewhat of a novelty. Moreover, many male barristers had some familial connection to the legal profession. The shared educational experience, professional expectations, and family ties to law taken together meant that male barristers were far more likely to enter the profession with knowledge of legal culture than their women counterparts. Male barristers possessed the often orally-communicated knowledge of the traditions and customs of the Bar that women barristers did not have. Being ignorant of such customs further exposed early women lawyers such as Macmillan and Bowerman as outsiders. The positioning of Macmillan as an outsider affected the construction of her professional identity; it distinguished her from fellow barristers and also fitted in nicely with her non-conformist activism work.

This gender-based analysis of the Bar during this time is too simplistic on its own; as intersectional feminist research has later shown, marginalisation's intersect in a myriad of ways.²⁴ Both Bowerman and Macmillan were white, English, university-educated, middle-class and had independent means of income. These factors also affected the success, or lack thereof, of their practice. Abel has shown that many Bar students came from far-flung corners of the Empire to study in England, and there were of course male barristers who did not fit into the dominant characteristics of the lawyer stereotype.²⁵ However, it is an unmistakable conclusion that being a woman during the interwar years had an impact on the legal profession. A clear illustration of the gendered discrimination imbued within the legal profession can be seen in the legal tradition of going on circuit, which will be discussed next.

²⁴ Kimberlé Crenshaw coined the term intersectional. See: Crenshaw, Kimberlé, 'Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics', *University of Chicago Legal Forum*, 1989.8 (1989), 139–67.

²⁵ For his discussion of the composition of the Bar, see: Abel, *The Making of the English Legal Profession*, p. 73 – 86.

Going on Circuit: A Legal Tradition

Macmillan was a member of the Western Circuit, one of the regional routes throughout the country upon which barristers and judges historically travelled to try cases in localities far away from legal hubs such as London. The Western Circuit, during Macmillan's practice, called at 'Wiltshire, Dorset, Somerset, Cornwall, Devon and Exeter city, Bristol, Hampshire – or "the County of Southampton."' ²⁶ Circuits had originated hundreds of years previously, when the monarch and his judges would travel the country dispensing justice. They are an important part of a barrister's practice, although from the mid-19th century the system of circuits had somewhat declined. Railways and motorcars had made the far reaches of the country more accessible; from 1876 onwards Westminster courts sat concurrently to those of the assizes, meaning that many barristers had to choose between developing their London practice and going on circuit. ²⁷

However, for practising barristers it was still essential to be a member of a circuit. For early women barristers, only recently admitted to the profession, joining a circuit was yet another barrier to overcome, and another example of the exclusionary nature of the profession. In his history of the Western Circuit, Antony Harwood records the meeting in 1923 at which Western Circuit members debated admitting women to their ranks, saying 'varying opinions were expressed', but eventually it was voted 27-20 that they should be, and Miss B H Davy was 'duly elected.' ²⁸ That this was a subject of debate is indicative of a continued reluctance to allow women barristers complete and unfettered access to all areas of practice, four years after the passing of the Sex Disqualification (Removal) Act which allowed them to enter the profession. As Sommerlad and Sanderson note, the 1919 Act only

²⁶ Harwood, Antony, *Circuit Ghosts: A Western Circuit Miscellany* (Winchester: The Copying Centre, 1980), p. 6.

²⁷ Duman, *The English and Colonial Bars*, p. 52.

²⁸ Harwood, *Circuit Ghosts*, p. 159-160.

‘removed the formal enshrining of the ‘separate spheres’ principle from the common law, it did not challenge the similar embodiment of that principle in the profession.’²⁹ This notion is entwined in early women barristers’ experience of the profession; it is evident in Macmillan’s reliance on dock briefs and the tensions inherent in women’s presence at messes.

Although, as previously mentioned, the system of circuits had waned by the early 20th century, it was still considered necessary for newly qualified barristers to build up their practice on circuit. The exclusion of women would have drastically impacted their ability to succeed in practice, and it would have further distinguished them from their fellow barristers, emphasising their status as outsiders. Their admittance to the Western Circuit on a majority of only seven speaks to the still-prevalent institutional distrust of women barristers.

Although the Western Circuit admitted Davy in 1923, they also rejected the application of another woman barrister on the same night, on the basis that she had previously self-advertised her services. This rejected barrister was Helena Normanton, ‘by far the best known of the first generation of women barristers.’³⁰ Normanton’s biographer argues that her rejection was ‘straightforward sex discrimination.’³¹ The allegations of self-advertising stemmed from a newspaper report on Normanton that purported to contain an interview with her. As Bourne explains, Bar etiquette demanded that barristers did not advertise for work, but Normanton was a student at the time so she may have been unaware of this rule.³² As an aside, this incident is demonstrative of women barristers being excluded from unwritten rules of the Bar that male barristers would have known culturally. There is another component to this rejection: Normanton, unlike Davy, was a well-known feminist, active in the suffrage movement. This could imply that women barristers who were also prominent

²⁹ Sommerlad and Sanderson, *Gender, Choice and Commitment*, p. 42.

³⁰ Polden, *Portia's progress*, (p. 308.).

³¹ Bourne, *Helena Normanton*, p. 122.

³² *Ibid.*, p. 97-102.

political activists faced yet another layer of exclusion from within the profession. They were dangerous on multiple levels: their gender and their activism, and as such seen as troublemakers threatening professional cohesion. As Macmillan, like Normanton before her, was prominent in feminist reformist political circles, would the Western Circuit be reluctant to admit her?

It appears not; Macmillan was duly elected in 1926, three years after Davy. The rejection of Normanton, and the length of time between the first and second woman members, is further suggestive of an organisation that was not overly welcoming for early women barristers. Macmillan's record had to be spotless to secure admission. Not only were women barristers few in number during the interwar period, but it seems likely that they were scrutinised and held to a far higher standard than male circuit members, while also not having the same access to unwritten rules and conventions.

It is important to further consider the nature of law circuits, and in particular the Western Circuit, in order to get a more detailed picture of what Macmillan experienced when she was elected as a member in 1926. Although originally circuits functioned as travelling courts, they evolved into a kind of barristers' gentlemen's club: 'on the circuit they dined, travelled and lodged exclusively with their fellows.'³³ Circuits also performed regulatory duties: barristers' 'behaviour was governed by implicit understandings reinforced by informal sanctions.'³⁴ Many of these ingrained traditions and cultural practices necessary to fully participate in circuit life were unavailable to women, simply due to their sex. It was more difficult for women lawyers to form social networks with other, often more experienced, circuit members as they did not have a shared experience of education and professionalism in the same way as men did. In addition to this, cultural norms of the time dictated strict rules on whether women could travel, sleep in the same lodgings and eat or drink with men.

³³ Duman, *The English and Colonial Bars*, p. 49.

³⁴ Abel, *The Making of the English Legal Profession*, p. 97.

Therefore, women were both excluded from an important function of circuit life and ignorant of its unwritten, and orally communicated, rules.

Indeed, one of the objections raised to women being admitted to the Western Circuit in 1923 was the ‘presence of young women in mess dining with young men.’³⁵ The mess’s ‘most important role arose out of the fact that barristers, young and old, successful and unsuccessful, simply could not avoid meeting together.’³⁶ There were tensions in allowing women to join Bar messes, the *Law Times* reporting in 1923 that ‘It is to be regretted that Circuit and Sessions Messes have not so far shown themselves equally generous’ in admitting women as the profession as a whole.³⁷ The mess formed a critical part of the social and professional aspect of circuit life, one from which Macmillan was socially excluded. It was noted that ‘she used to make a point of retiring from the mess when the port came round.’³⁸ Macmillan may have intentionally excluded herself from the mess when alcohol was introduced, so she could conform to traditional notions of femininity and womanhood. She may have been excluded from the communal drinking of port, because she knew that to remain would render her liable to criticism, and because she was aware that her presence was not welcome. Such a situation was yet another example of the ‘double conformity’ under which women professionals like Macmillan laboured.³⁹ Social conventions dictated that women withdrew from private dinners when the port came round; there would have been strong societal pressure to conform to this convention at mess. Therefore, women lawyers like Macmillan would have been expected to withdraw alongside the wives of male barristers, and fellow women barristers, if there were any. By withdrawing, she missed out on potential professional opportunities, and gained little professionally from conversing with other women. However, had she not withdrawn, she would have been breaching the accepted

³⁵ Harwood, *Circuit Ghosts*, p. 159 – 160.

³⁶ Cocks, *Foundations of the Modern Bar*, p. 2.

³⁷ *The Law Times*, 155, (1923), p. .155-6 [accessed 10 January 2021]

³⁸ Harwood, *Circuit Ghosts*, p. 162.

³⁹ Delamont, ‘The Contradictions in Ladies Education’, p. 159.

social mores of the day. The roots of professions as ‘strictly male gentlemen’s clubs which regulated themselves by fostering a sense of belonging to a national elite’ can clearly be seen in this cultural custom.⁴⁰ This was an impassable professional barrier that Macmillan could not overcome. It shows that gendered societal rules were often transplanted into the professional sphere, to the detriment of women professionals, irrespective of legal developments.

Antony Harwood became a circuit member just five years after the first woman member was admitted, making him a contemporary of Macmillan’s. In his history, he described her as ‘a lady of mature years.’⁴¹ This description is notable for several reasons. His description of her hair as an Eton crop is similarly illuminating.⁴² Throughout his book Harwood examines the careers of many circuit members, usually focusing on their education and professional achievements, and seldom noting physical characteristics. However, with Macmillan, he immediately identifies her by her appearance, drawing attention to her gender, age and hair. In this sense, he distinguishes her clearly as ‘different’ from other barristers. The Eton crop was a short ‘masculine style’ haircut, popularised by flapper fashions of the 1920s.⁴³ While this could imply that Macmillan was simply in touch with the current style, as Laura Doan argues ‘the meaning of clothing in the decade after World War I, a time of unprecedented cultural confusion over gender and sexual identity, was a good deal more fluid than fixed.’⁴⁴ In 1926, the year Macmillan joined the circuit, she was 54, far older than the typical flapper, and it seems more likely that she favoured this masculine symbol of style for practical reasons, rather than fashion. This is not to say that Macmillan’s

⁴⁰ Malatesta, Maria, *Professional Men, Professional Women: The European Professions from the 19th Century to Today: The European Professions from the 19th Century until Today* (USA: Sage Publications, 2010) p. 1.

⁴¹ Harwood, *Circuit Ghosts*, p. 162.

⁴² *Ibid.*, p. 162.

⁴³ Rolley, Katrina, ‘Cutting a Dash: The Dress of Radclyffe Hall and Una Troubridge’, *Feminist Review*, 35 (1990), 54–66 (p. 57.).

⁴⁴ Doan, Laura, ‘Passing Fashions: Reading Female Masculinities in the 1920s’, *Feminist Studies*, 24.3 (1998), 663–700 (p. 664-665).

haircut was not a signifier of personal style, after all ‘dress has long been accepted as a medium of ... expression ... through which, consciously or unconsciously, we ‘speak’.’⁴⁵

Macmillan is portrayed as having diametrically opposed halves of herself: that of feminine and masculine. This may have been a strategic way of presenting herself in a profession, and a circuit, that was overwhelmingly masculine in nature. In cropping her hair, Macmillan was conforming to male standards of identity; she was a woman who was mannish, and as such, less of a challenge to the norms of professional appearance. This corresponds with Margaret Thornton’s theory on women in law: ‘women are accepted within the legal profession only if they ‘appear’ to be like men, preferably if their disguise is so successful that we are all convinced that they are men.’⁴⁶ However, as much as Macmillan transgressed many cultural norms throughout her life, she could not fully disguise herself as a man. As can be seen from her activism during this time she often maintained a separatist approach, working in women-only organisations, lobbying MPs rather than entering the political sphere in a professional way, and her absence from mess may reflect this. Macmillan sat firmly on the crossroads between masculinity and femininity in order to best promote herself as a lawyer. By declining to participate in many of the traditional aspects of circuit life, she maintained a barrier between herself and the male barristers, and conformed to traditional notions of femininity, that women do not drink with men. However, in cropping her hair, Macmillan did enter into somewhat of a male disguise, presenting herself as a non-threatening entity to a circuit that was, in the 1920s, clearly ambivalent about women barristers. In doing this, Macmillan was able to hop between these representations of herself, picking and choosing what would benefit her professionally and politically at that particular moment. While Harwood’s analysis of Macmillan is filtered through a gendered lens, he does mention one anecdote that is worth quoting in full:

⁴⁵ Rolley, *Cutting a Dash*, p. 54.

⁴⁶ Thornton, *Dissonance and Distrust*, p. IX.

On one occasion a prisoner wished to give a dock brief and was informed in the usual way that if he had the sum of £1. 3s. 6d. he could choose any counsel in court. His view of them was limited and he had not taken the prudent precaution, which the more experienced malefactors sometimes adopted, of consulting one of the warders (as they were then called) which counsel he should choose. Scanning the row of heads, he announced after some hesitation, "I'll have the nearest gentleman." Chrystal, who was the nearest, rose from her seat. Out of a sense of fun Ewen Montagu, who was sitting next to her, did too. "Ho! Ho! Ho!" said Ernie Charles from the bench. "The nearest gentleman is a lady. Now what are you going to do?" The prisoner gallantly said that he would stick to his choice of the nearest. So she defended him and she got him off!⁴⁷

This quote is interesting for several reasons. Firstly, it relies on the trope of mistaken identity. Macmillan is wrongly identified as a man. This shows that her male 'disguise' worked on at least one level, albeit one that entailed a prisoner's restricted view of the back of her head. However, Harwood's mention that a more experienced defendant would have ascertained which barrister to choose suggests that, *had* the prisoner asked the warden for advice, he would have been advised against choosing the woman barrister. This implies a deeply sexist approach to the choosing of counsel, and begs the question that had Macmillan presented herself as more overtly feminine, would she have got this (and by extension other) dock briefs? Harwood implies that it was 'out of a sense of fun' that a fellow barrister stood up alongside Macmillan, but was it? The action of standing up is a pointed reassertion of Macmillan's difference from the norm of the male barrister. It is clear that Macmillan is the object of fun in this anecdote—the only story allotted to her in this book. Finally, the exclamation mark that follows 'she got him off!' is one of surprise—it is astonishing that

⁴⁷ Harwood, *Circuit Ghosts*, p. 162.

Macmillan succeeded in her defence of a client. While this anecdote is only representative of one noteworthy incident in Macmillan's career, it is indicative of the ridicule she had to deal with as a professional woman. This again shows that the construction of her professional identity was continually complicated by her status as a woman; gender served as an impasse which Macmillan had to work creatively to overcome, through both her male disguise and counter to this, her feminist activism.

Like much of Macmillan's life and work, it is difficult to piece together an adequate picture of her time on the Western Circuit, since much of the evidence is fragmentary and does not relate directly to her or to cases in which she was involved. In an obituary written after her death in 1937, her former Head of Chambers Marshall Freeman stated that she 'for several years went regularly on the Western Circuit; later on the claims of work—both legal and social—kept her busy in London.'⁴⁸ Macmillan's activism certainly took up much of her time during this period, and there are more reports of her legal work in London. However, it seems that the Western Circuit was certainly not a welcoming environment for women barristers during the 1920s, and Macmillan's resolve in practising there for several years shows her resilience and commitment to building up a practice that was, at best, ineffective.

Taking together Macmillan's London and Western Circuit practice, it is apparent that in the traditional sense she was nowhere near being a successful practising barrister. Her cases seem to have been few and far between, and what criminal cases she did pick up were by dock brief or legal aid. Enid Rosser rather uncharitably characterised her as making 'no headway at all.'⁴⁹ However, it is important to note that judging Macmillan by traditional, obstinately male, standards of success, strips her career of the context in which it was embarked upon.

⁴⁸ Freeman, Marshall, 'Miss Chrystal Macmillan Appreciations', *The Times*, 23 September 1937, p. 14.

⁴⁹ 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p. 276.

However, Macmillan's career was not an entirely selfless exercise, and it is clear that she wanted to succeed in traditional terms, and worked hard to achieve this aim. As Kay and Pipes argue, her 'commitment to her legal practice was never in doubt.'⁵⁰ An example of this ambition occurred in June 1933, when Justices of the London Sessions were providing women barristers with a 'special room' with six lockers. However, there were 11 women barristers who each needed a locker. In a letter to Helena Normanton, Macmillan states that a group of women barristers discussed how best to divvy up the lockers, and decided that they should be distributed in order of joining the sessions. Incidentally, this granted Macmillan a locker, and not Normanton. Although Macmillan did say that more lockers might be provided if requested, Normanton was understandably unhappy with this arrangement, stating 'in a certain sense it fell to me to break some of the ice for other women.'⁵¹ Normanton also mentioned that it was not a very good start for the special room to not provide for all women barristers, who, she noted, paid equal session fees.⁵² In this exchange, Normanton is applying a gendered critique to Macmillan's casual, and in a sense, self-serving, acceptance of this locker offer. This suggests that although Macmillan's career was motivated by feminism, she was not immune to personal considerations too.

This indicates that many factors beyond her gender affected her chances of success: her age, her activist background, and her continued commitment to that activism while also practising at the Bar. Macmillan entered the profession knowing all of this, and it seems that her fellow women barristers were also aware that her motivations in becoming a barrister differed from theirs. Rosser stated that Macmillan and other feminist barristers 'joined the Bar in vindication of their efforts for women's rights.'⁵³ Although at times during her

⁵⁰ Kay and Pipes, 'Chrystal Macmillan, Scottish Campaigner for Women's Equality, p. 731.

⁵¹ 'Letter from Helena Normanton to Chrystal Macmillan, 29 June 1933'. (London), Papers of Helena Normanton, Press Cuttings, London School of Economics, The Women's Library.

⁵² *Ibid.*

⁵³ 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, Library, p. 276.

memoir, Rosser seems dismissive of Macmillan and others like her, such as Bowerman, she thought 'it worthwhile to dwell a while on these first women as they are part of history.'⁵⁴ Consequently, Macmillan's legal career remained intricately connected with her activism. Although her career was not a success in one sense, if we analyse it from her perceived motivation of paving a way for future women barristers, it was. There was a historicising aspect to Macmillan's professional identity, that of the pioneer. Such an aspect was equally present in Macmillan's activism: her political focus in the interwar years was on married women's nationality. Macmillan seemed determined to pioneer a new, gender-equal approach to nationality law.

The Issue of Married Women's Nationality: Macmillan's Campaign for Equality Between Married and Single Women

The issue of equality between men, married women and single women in areas of nationality, insurance, taxation and employment was a crucial point of nexus for feminist organisations during the 1920s and 1930s. Nationality as a concept is nebulous, but historically it has been applied differently to women than to men. At its most simplified, 'it designates the formal status of membership in a state.'⁵⁵ However, as Virginia Woolf famously wrote in her 1938 opus, 'as a woman, I have no country'.⁵⁶ British women had been unable to fight in WW1, some had only recently acquired parliamentary enfranchisement, and there were still branches of professions closed to them purely because of their sex. Complicating this was the relatively recent narrowing of married women's nationality; it was only in 1870 that legislation was passed stating that a British-born woman who married an alien man would automatically assume the nationality of her husband.⁵⁷ As Macmillan caustically pointed out

⁵⁴ *Ibid.*

⁵⁵ Knop and Chinkin, 'Remembering Chrystal MacMillan, (p. 536.).

⁵⁶ Woolf, Virginia, *A Room of One's Own and Three Guineas* (United Kingdom: Collins Classics, 2014), p. 234.

⁵⁷ Naturalisation Act 1870.

in a 1925 article, ‘It is curious that there should have been passed in the same year, 1870, the first of a series of Statutes emancipating the married women with respect to her property, and another measure which deprived of their nationality British women married to foreigners.’⁵⁸ She explicitly linked the issue of married nationality to past feminist campaigns, thereby attributing married women’s nationality as a spiritual successor to the suffrage campaign. Macmillan’s focus on this inequality is a testament to her legal skill set; her training as a barrister imbued her with the knowledge that enabled her to challenge such a discriminatory law.

This legislation had overturned a long-standing common law tradition that nationality could not be removed, and was followed by the British Nationality and Status of Aliens Act in 1914, which confirmed that British women who married aliens lost their nationality. The outbreak of World War One had created practical problems for British women married to foreigners, especially those married to enemy aliens. These women were treated as though they were enemy aliens themselves, unable to live in certain areas of the country, and very often found it difficult to get work due to their foreign-sounding surnames. It was during and shortly after this period that feminist organisations began organising themselves in an effort to reform this area of the law. Sir John Butcher MP had introduced an ultimately unsuccessful Bill in 1922 that would have allowed married women to keep their nationality,⁵⁹ and Macmillan herself was the only woman witness at the 1923 Select Committee on the Nationality of Married Women which failed to come to an agreement on the reform of the issue.

It is easy, from a historical distance, to question why this became such a crucial area of reform for feminists during the interwar years. Statistically, a very small number of women were affected by this inequality. It did not have the wide-reaching impact of

⁵⁸ Macmillan, Chrystal, ‘Nationality of Married Women: Present Tendencies’, *Journal of Comparative Legislation and International Law*, 7.4 (1925), 142–54 (p. 142.).

⁵⁹ This was the British Nationality (Married Women) Bill 1922.

protective legislation for women workers, which was also a contentious issue for feminists at this time. However, the issue of choice and independence in nationality was symbolic of the change feminists had been working towards for decades. The removal of British nationality for a woman could have devastating practical effects as well: ‘Women’s right to own property, the right to employment, the access to social benefits such as pensions and welfare, and the right to cast a political vote, could all be revoked in a second if she marries the wrong man.’⁶⁰ However, it was the continued infantilisation of women that really rankled for feminists such as Chrystal Macmillan. She ‘perceived the issue of married women’s nationality as an integral part of women’s struggle to be acknowledged as full citizens.’⁶¹

Macmillan’s status as a lawyer also gave her the professional background and experience that enabled her to comprehensively campaign against this legislative inequality. Many of the pre-1918 anti-suffrage arguments had centred around the concept that women did not have the ability to exercise political rights in national and imperial matters. This was due to the belief that their proper sphere was family and the home, and under common law, women had repeatedly been confirmed as not persons.⁶² The enforced nationality changes imposed on women married to foreigners continued this infantilising ideology: ‘married women were included in the list of persons under a disability who could not exercise the right to naturalization, being equal in status to infants, lunatics, and idiots.’⁶³ This again

⁶⁰ Leppanen, Katarina, ‘The Conflicting Interests of Women’s Organizations and the League of Nations on the Question of Married Women’s Nationality in the 1930s’, *Nordic Journal of Feminist and Gender Research*, 17.4 (2009), 240–55 (p. 241.).

⁶¹ Kay and Pipes, ‘Chrystal Macmillan, Scottish Campaigner for Women’s Equality through Law Reform’, p. 725.

⁶² See: Harrison, Brian, *Separate Spheres: The Opposition to Women’s Suffrage in Britain* (United Kingdom: Routledge, 2012) for a full exploration of the anti-suffrage campaign. One of the early prominent cases involving the meaning of the word ‘person’ was *Chorlton v. Lings*, (1868) L.R. 4 C.P. 374 in which it was held that ‘the common law rendered women incapable of voting’.

⁶³ Baldwin, M. Page, ‘Subject to Empire: Married Women and the British Nationality and Status of Aliens Act’, *Journal of British Studies*, 40.4 (2001), 522–56 (p. 526.).

suggests why so many feminists latched on to this campaign: the blatant misogyny with no logical reasoning was a throwback to anti-suffrage arguments before 1918.

Macmillan was the central figure, both in national and international circles, in campaigning for reform on this matter. Characterised by Knop and Chinkin as ‘perhaps the closest thing to a prominent feminist international lawyer of the time’,⁶⁴ she was involved with, and sat on, almost every single committee that worked towards securing reform. By 1924, her involvement in the campaign had been long-standing.⁶⁵ Internationally, she was chairman of the IWSA’s Nationality of Married Women Committee from 1920 onwards, and chaired a similar committee for the International Federation of Women in 1929. In Britain, she was an executive member of the National Council of Women, chairing the Council’s Legislative Committee, and probably drafted the Bill on married women’s nationality presented to Parliament in 1921.⁶⁶ She also sat on the Committee for the British Federation of University Women related to married women’s nationality, was a founder member of the Open Door Council, which aimed to remove legislative inequality for women, and until 1927 was an executive committee member of the NUSEC. She spoke at the British Commonwealth League’s first conference in 1925. All of this demonstrates a complex and interlinking web of feminist organisations that cooperated on the issue of married women’s inequality. Despite the complexity of these various organisations and committees, Macmillan remained a constant advocate for reform on this matter in multiple spheres: nationally, internationally, and in the British Empire.

In this activism, Macmillan continued to utilise the methods honed in her suffrage days: targeting MPs sympathetic to the cause, promoting Bills, going on deputations to ministers, and writing and disseminating leaflets and speeches. In this sense, Macmillan’s

⁶⁴ Knop and Chinkin, ‘Remembering Chrystal MacMillan’, (p. 532.).

⁶⁵ Page suggests that it dates to at least 1916, and probably earlier. Page, Dorothy, “‘A Married Woman, or a Minor, Lunatic or Idiot’: The Struggle of British Women against Disability in Nationality, 1914-1933’ (University of Otago, 1984), p. 84.

⁶⁶ *Ibid.*, p. 99-100.

methods of activism remained remarkably unchanged. However, her new status as a practising barrister and enfranchised citizen now afforded her new legal knowledge, as well as access to the political sphere. Despite this, she was still a political outsider—‘a female unofficial.’⁶⁷ She was still frustrated by political manoeuvring that conspired against her reformative plans. Again, this continued method of activism connects the pre-1918 suffrage campaign with this interwar nationality one: ‘The campaign for equal nationality rights was a bridge that linked new and old feminists, women in Great Britain to women in the Empire, British feminism to international feminism, thereby contradicting a popular view that interwar British feminism was ineffective, fragmented or even dead.’⁶⁸ Like suffrage, the inability of women to choose their nationality, independent of their spouse, was an issue that questioned ‘the recognition of women as fully capable, adult, independent citizens.’⁶⁹

However, what differentiated the nationality campaign from the more nationally focused campaign for the vote was that it affected British women on multiple levels. Leppanen argues that analysing the international and national aspects of the campaign for married women’s nationality ‘exposes the interplay between groups advocating transformation and those unwilling to change existing laws.’⁷⁰ However, for British women there was a third dimension to this interplay: that of the Empire. Macmillan was an internationally-focused feminist, and in the War she had developed close activist networks with feminists throughout Europe and in the United States. This, combined with her extensive national activism on the suffrage question and her recognised expertise on law, conspired to make her the most well-placed feminist activist to argue for reform on all levels of the nationality question. As Baldwin states, this was not an easy task: ‘At the national level, their target was the British Parliament; at the imperial level, the imperial conferences

⁶⁷ *Ibid.*, p. 63.

⁶⁸ Baldwin, M. Page, ‘Subject to Empire: Married Women and the British Nationality and Status of Aliens Act’, *Journal of British Studies*, 40.4 (2001), 522–56 (p. 525.).

⁶⁹ Leppanen, ‘The Conflicting Interests of Women’s Organizations’, (p. 244.).

⁷⁰ *Ibid.*, (p. 252.).

and the Dominion governments, and in the international arena, they pressured the League of Nations'.⁷¹ However, Macmillan was determined to effect this change.

Dorothy Page, whose thesis analyses the passage of the nationality campaign, states that Macmillan made 'the whole campaign peculiarly her own.'⁷² It gained traction in the aftermath of World War One and the signing by President Harding of the Cable Act in America in 1922. This Act granted independent nationality to American women and limited the granting of US nationality to spouses of American nationals. As Macmillan pointed out in a letter to *The Times*, this placed British women under even more of a disability if they married an American. Under British law the woman lost her nationality upon marriage, but under the Cable Act she did not gain the nationality of her spouse, rendering her stateless.⁷³ This not only highlighted the inadequacy of the British law, but also the complexity in reforming it, as nationality law interacted with other countries' laws on an international level. However, Macmillan's implication is clear: Britain was lagging behind in its approach to nationality, and the Cable Act only emphasised this.

It was with this perspective that Macmillan was 'invited to attend, and was given an opportunity of putting the draft International Convention [on nationality reform] before the meeting'⁷⁴ of the International Law Association (ILA) in October 1923 in Stockholm. The ILA was a coalition of lawyers from around the world whose aim was to formulate codification of international law. Macmillan's presence there is illuminating: while she attended as a representative of a feminist organisation, the overlap between her activism and her legal work is clear to see. Macmillan, who at this point had not yet been called to the Bar, argued for comprehensive, internationally-based reform, and her hope in the practical ability of the ILA to achieve this is apparent. In their list of members, she was described as

⁷¹ Baldwin, *Subject to Empire*, (p. 536.).

⁷² Page, "'A Married Woman, or a Minor, Lunatic or Idiot'", p. 79.

⁷³ 'Married Women's Nationality', *The Times*, 6 February 1923, p. 17.

⁷⁴ 'The International Law Association', *International Woman Suffrage News*, 7 March 1924, p. 3.

a ‘Barrister-at-Law ... Chairman of Committee on the [committee chairmanship left blank].’⁷⁵ However, the Committee left blank is probably the Nationality Committee of the IWSA and shows how closely connected both she and the ILA saw her activism and work. It also emphasises, much like with the interaction between her activism and barrister work, that Macmillan was still very much a political outsider.

Although she joined the ILA, she still conducted her activism from the vantage point of feminist organisations of which she had long been a member. Perhaps Macmillan found this a more effective way of securing change. She was, after all, a prominent figure in the IWSA and similar international groups, and this contrasted with her much smaller status in predominantly male organisations such as the ILA. Further, the ILA was not as radical as the IWSA, and did not subscribe to Macmillan’s idea of wholesale reform, only agreeing that “evils of statelessness and double allegiance” should be prevented.⁷⁶

Despite this rejection from a male-founded and -dominated organisation, Macmillan’s work within the more familiar spheres of international feminist organisations continued. She raised the subject of women’s nationality at conferences both national and international,⁷⁷ conducted surveys of legislation in other countries,⁷⁸ and presented reports in the course of her work as Chairman of the IWSA Nationality Committee.⁷⁹ In all her activism on this subject, she focused on the capabilities of women to decide their own nationality, often disarming these radical ideas for reform by complimenting men: ‘I have seen the men of France ...and I do not think that the women who marry them are idiots.’⁸⁰ Macmillan approached the nationality question via the prism of the husband’s point of view:

⁷⁵ ‘International Law Association List of Members 1923-1929, ILA/1/2/10’. (London), Institute of Advanced Legal Studies Archives.

⁷⁶ Knop and Chinkin, ‘Remembering Chrystal MacMillan, (p. 562.).

⁷⁷ ‘The National Council of Women’s Annual Meeting’, *The Woman’s Leader*, 24 October 1924, p. 314.

⁷⁸ ‘The Paris Congress’, *Vote*, 11 June 1926, p. 5.

⁷⁹ ‘The Paris Congress’, *Vote*, 28 May 1926, p. 4.

⁸⁰ *Church League for Women’s Suffrage*, 15 June 1926, p. 6.

did men *really* want to marry women who were unable to choose their nationality? This was a strategic plan to ensure that her arguments for reform appealed to the broadest possible base.

On the national front there was less activity, mainly due to the lack of parliamentary compulsion to do so; ‘there was no Bill on the subject before the House between 1922 and 1929, and virtually no public comment on it.’⁸¹ However, in 1925 the House of Commons did pass a unanimous resolution in favour of the principle of independent nationality for married women.⁸² The Imperial Conference finally gave the issue of married women serious consideration in 1926,⁸³ although the conference agreed with both international organisations such as the ILA and the British Government in terms of a limited reform of nationality. Macmillan was evidently pleased with this upturn in activity, attributing it to ‘the cumulative effect of the steady work of women’s organisations all over the Empire, not only directed to their respective Parliaments, but to the Imperial Conference.’⁸⁴ Macmillan clearly understood the need to campaign for nationality, not only on multiple levels but also in a consistent manner.

Due to this sustained activism during the 1920s, the issue of nationality came to the fore in 1929 and 1930, with feminist media commenting on this ‘vexed question’ in their round-up of both years.⁸⁵ On the international front, Macmillan was appointed chair of a ‘small committee of women jurists’ by the International Federation of University Women, writing a memorandum on the issue that was published in July 1929.⁸⁶ In Britain, Bills began to be introduced in Parliament again, by Labour MP Ellen Wilkinson and Conservative MP

⁸¹ Page, “‘A Married Woman, or a Minor, Lunatic or Idiot’”, p. 137.

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ Macmillan, ‘Nationality of Married Women’, (p. 149.).

⁸⁵ ‘Nationality of Married Women’, *Vote*, 27 February 1929, p.; 5.; E. A. H. ‘Women in 1930’, *Vote*, 26 December 1930, p. 5.

⁸⁶ Page, “‘A Married Woman, or a Minor, Lunatic or Idiot’”, p. 202.

Captain Victor Cazalet, respectively.⁸⁷ However, the real focus at this time was the upcoming League of Nations Codification Committee at the Hague in 1930, and feminist organisations, both national and international, were focused on preparing for this congress. This Codification Committee was the culmination of League of Nations plans to facilitate the regulation of some aspects of international law, and nationality was one factor which would be focused on. Therefore, it represented an opportunity for married women campaigners to bypass the British Government's unwillingness to legislate, and even if that failed, apply pressure on the government to work towards some measure of reform.

Interestingly, the work done by the British Federation of University Women in the lead-up to the Hague Convention provides some of the most illuminating insights into, not only Macmillan's thoughts on nationality reform, but also those of her fellow women lawyers. The British Federation appointed a subcommittee in 1929 on the Nationality of Married Women, which was comprised mainly of women legal professionals. This again reveals the interconnectivity between Macmillan's professional and activist identities: women lawyers were sought for this subcommittee because of their legal expertise, an expertise that Macmillan had been using to facilitate her activism for years. However, Macmillan was not initially a member of this committee. Her absence from the initial makeup is telling; perhaps her identity as an activist overshadowed somewhat her identity as a legal professional.

Instead, the committee was chaired by Dr Ivy Williams, the first woman to be called to the English Bar in 1922, and the first woman to teach law at a British university. Others on the committee included Sybil Campbell, the first professional woman magistrate in Britain, and Maud Crofts and Mary Sykes, both solicitors. In short, this committee represented the most prominent female legal minds in the country at this time. This was clearly a question that the British Federation of University Women thought was for legally

⁸⁷ *Ibid.*, p. 204.

trained persons to decide. The committee was convened to draft a report for the British Federation that would, they hoped, be presented at the Hague Convention. It was clear from the outset that Ivy Williams would be far more cautious in her recommendations than Macmillan had been in her activism so far. Macmillan envisioned a comprehensive reform that prioritised equality and women's choice, which may have been too radical for what was legally practicable at the time. Perhaps this was why Williams was approached to chair this particular committee, even though Macmillan's report on married women's nationality had only recently been published by the International Federation of University Women.

Williams was far less known as a feminist than Macmillan, so although her views did not 'go so far as the more strictly feminist point of view' this was not of 'great importance' as it did not detract from her role on the committee.⁸⁸ Evidently, Macmillan's exclusion, both on an issue she was considered an expert in, and from the company of her fellow women lawyers, did not sit well with her. Following the first meeting of the Committee in December 1929 (where she was not present) Macmillan obviously voiced her criticisms, as afterwards she went to see Sybil Campbell and had 'to some extent modified her attitude towards the draft proposal passed by the British Federation subcommittee last Friday evening.'⁸⁹ There was a marked difference of opinion between Macmillan and her fellow women lawyers; Macmillan was perceived as somewhat of an idealist. In a letter to Ivy Williams, Sybil Campbell stated, 'I admire wholehearted enthusiasts, but cannot follow them where one's legal sense cautions moderation.'⁹⁰ This gulf in approach between her and Macmillan reveals that there was tension between her activist identity and that of a lawyer.

⁸⁸ 'Letter from Lucy Nettlefold to Sybil Campbell, 29 January 1929, Ref: 5BFW/O5/54'. (London), London School of Economics, The Women's Library.

⁸⁹ 'Letter from Miss Johnston to Maud Crofts, 16 December 1929, Ref: 5BFW/O5/54' (London), London School of Economics, The Women's Library.

⁹⁰ 'Letter from Sybil Campbell to Ivy Williams, 20 December 1929, Ref: 5BFW/O5/54) (London), London School of Economics, The Women's Library.

The liminality in balancing her identities is apparent in this situation: Macmillan struggled to remove the element of activism from her professional identity. Sybil Campbell explicitly stressed the point in her letter. She argued that her legal training demanded moderation, suggesting that Macmillan's fervour for comprehensive feminist-approved reform on this matter compromised her legal judgment. This may be the reason why she was initially left off the committee. Did her activist experience in this matter actually hinder her ability to apply practical legal solutions to the question of nationality? It is clear that the subcommittee headed by Williams did not think Macmillan's proposals were practical, and that married women's equality was an 'ideal' to be aimed at, at some point in the future.⁹¹ In this, the Committee, representing Britain's women lawyers, clearly sided with the thoughts of the ILA, arguing that 'lawyers have generally been opposed to equality of treatment for man and wife in the matter of nationality not perhaps only for the reasons given by Miss Macmillan but mainly because questions of nationality must be approached from the point of view of the public policy.'⁹²

Accordingly, it was clear from the formation of this subcommittee that equality between men and women would not be the key factor in their report, and that instead the focus was on ensuring no woman became stateless or acquired dual nationality. Macmillan knew this, but stressed the dangers of such an approach, especially if the report was presented to the Hague: 'If anything goes into that Convention which is inconsistent with the principle that a woman should have the same right as a man to retain or to change her nationality it will be an obstacle in the way of this or any country which adheres to the convention establishing that principle in its legislation.'⁹³ Despite this, there continued to be a clear

⁹¹ 'Report of the Sub-Committee on the Nationality of Married Women, 14 December 1929, Ref: 5BFW/O5/54) (London), London School of Economics, The Women's Library.

⁹² *Ibid.*

⁹³ 'Note by Chrystal Macmillan on the Memorandum of Miss Ivy Williams, Chairman of the Committee of the British Federation of University Women on the Nationality of Married Women of December 1929 (signed 6 January 1930), Ref: 5BFW/O5/54' (London), London School of Economics, The Women's Library.

difference of opinion on the subject—one that was formulated as being between feminist idealists, represented by Macmillan, and legal moderates, represented by Williams. This difference of opinion illustrates that dichotomy between Macmillan's conception of herself as lawyer and activist and others' perception that her primary identity should be that of lawyer. This is not to say that Macmillan did not work hard to form her professional legal identity, just that she felt more comfortable as an activist. Such a perspective stemmed from the activist origins of her identity as a lawyer; Macmillan campaigned for entry to the legal profession and she frequently highlighted legal inequalities within her activism, and as such, her legal identity was essentially as an activist-lawyer rather than a traditional lawyer. As Fearon theorises, a characteristic feature of Macmillan's social identity was that of activist, and this attribute sometimes infringed on her status as a lawyer.⁹⁴

At the beginning of 1930, the Hague Convention was fast approaching. Macmillan was part of a deputation to the Home Secretary in January of that year, which urged that women should be a part of the upcoming Imperial Conference and the Conference on the Codification of International Law.⁹⁵ It is significant to briefly note the chief objections that the British Government had to granting women independent nationality. They centred around the issue of imperial uniformity in law, and nationality uniformity in the family: if a father and mother held two different nationalities, what nationality would their child hold? The Home Secretary, Mr Clynes, duly asked for nominations for a woman to be a part of the British delegation to the conference. NUSEC nominated Dr. Ivy Williams for this role, but also suggested Macmillan as an assessor or technical advisor, due to the fact that she 'has made this question very specially her own.'⁹⁶ Ivy Williams was appointed to be part of the delegation to the Hague Conference, although she expressed concern that the British

⁹⁴ Fearon, *What Is Identity*.

⁹⁵ 'Nationality of Married Women', *Vote*, 17 January 1930, p. 4.

⁹⁶ 'Delegation to the Conference at the Hague', *The Common Cause*, 31 January 1930, p. 410.

Federation of University Women agreed more with Macmillan's views than her own. This worry demonstrates the gulf between the views of women lawyers and of feminist activists. For Macmillan, it is clear that she sided with the activists' analysis of this complex issue of law, which implies that her professional identity was dominated by her political identity on this occasion.

Despite lobbying by some feminist groups, Macmillan was not nominated by the government as an independent assessor, perhaps because they were well aware of her views on the subject and knew that as an independent assessor she would be free to express them contrarily to the view of the British Government.⁹⁷ By contrast, the members of the delegation were constrained by governmental pressure. Perhaps in response to this exclusion, Macmillan helped organise a demonstration at the same time and place as the Codification Conference on behalf of the International Council of Women and the International Alliance of Women for Suffrage and Equal Citizenship.⁹⁸ The date and place of this demonstration is pertinent, as it again reflects methods used throughout the suffrage campaign to raise awareness and attract press attention for the cause. It also further reiterates Macmillan's outsider status—she was not invited to the Hague, but instead used her network of feminist contacts to publicise the issue she thought most important to consider from outside the conference.

The Hague Convention, like that of the ILA before it, found itself unable to agree on substantive reform of nationality law, instead recommending minor changes to prevent statelessness and dual nationality, and suggested that individual nations use domestic legislation to initialise women's independent nationality.⁹⁹ This was a disappointment to feminists like Macmillan, and their focus now shifted back to the national sphere, and to

⁹⁷ Page, 'A Married Woman, or a Minor, Lunatic or Idiot', p. 212.

⁹⁸ 'The First Codification Conference of the League of Nations', *International Women's Suffrage News*, February 1930, p. 62.

⁹⁹ Baldwin, 'Subject to Empire', (p. 543.).

hopes of persuading the British Government not to ratify the Hague Convention, given that they felt its recommendations to be so inadequate.¹⁰⁰

After the Hague Conference, a special Nationality Committee was formed in London, ‘which will concentrate entirely on getting Captain Cazelet’s [Married Women’s Nationality] Bill passed through Parliament.’¹⁰¹ Chaired by Macmillan and supported by several feminist organisations including NUSEC, this committee was later named the Nationality of Married Women Pass the Bill Committee. This committee was key in keeping married women’s nationality at the forefront of politics. It made the issue known to feminist bodies and to the public by publishing pamphlets; providing speakers for meetings and writing to the press; putting pressure on the government through deputations to ministers; lobbying MPs and briefing advocates of independent nationality in the House; and providing information and advice to many women disadvantaged by the nationality laws.¹⁰²

It also provided Macmillan with a platform of which she was in control, unlike the Ivy Williams-led subcommittee, and in a sphere in which she evidently felt more comfortable, among feminist activists as opposed to legal professionals. This is, again, an indicator of Macmillan’s concept of her professional identity—she saw herself as primarily an activist and used her professional status as a barrister to further this (rather than as a barrister who engaged in activism).

As Macmillan had been appointed to chair the Pass the Bill Committee, she was now invited to become a member of Ivy Williams’s subcommittee.¹⁰³ She accepted, but in what was probably an indication of the amount of work she was doing already on the subject, she

¹⁰⁰ Leppanen, ‘The Conflicting Interests of Women’s Organizations and the League of Nations on the Question of Married Women’s Nationality in the 1930s’, (p. 247.).

¹⁰¹ ‘Married Women: Nationality Campaign’, *The Scotsman*, 13th June 1930, p. 5.

¹⁰² Page, ‘A Married Woman, or a Minor, Lunatic or Idiot’, p. 234.

¹⁰³ ‘Letter to Chrystal Macmillan, 4 November 1930, 5BFW/O5/54’ (London), London School of Economics, The Women's Library.

wrote stating that ‘I do hope it is not going to meet very often.’¹⁰⁴ Predictably, given Williams’ attendance at the Hague and her more moderate ideas for legal reform, she and Macmillan soon disagreed on the issue of whether Britain should ratify the Hague Convention. Williams expressed that Macmillan ‘regards the articles [of the convention] as at least futile.’ However, the government did eventually ratify the Convention, and as such Macmillan’s activism shifted again, this time towards the Dominions, to persuade them that women’s independent nationality was a needed reform. She was trying to remove the obstacles that the British Government had highlighted: if the Dominions could be persuaded to agree to married women’s citizenship reform then uniformity would be preserved.

Macmillan’s activism also continued across many feminist organisations. Interestingly, given Bowerman’s leading role in the WGE, it appears that the Guild and Macmillan collaborated on some matters concerning women’s nationality during this time. Macmillan was present on a Guild-organised deputation to the Home Secretary in 1932;¹⁰⁵ Flora Drummond, leader of the Guild, was also nominated as a member of Macmillan’s Pass the Bill Committee. Therefore, even given Macmillan and Bowerman’s differing political allegiances, this shows commonality on issues that were considered squarely feminist. Again, this implies that women’s nationality was an issue that united feminists in the interwar years and attracted a broad range of support. It is also indicative of the broad scope of feminist ideology, both at this time and subsequently.

Internationally, Macmillan was appointed as a member of the Women’s Consultative Committee on Nationality. However, much like the subcommittee headed by Williams in Britain, this ‘divided so bitterly between advocates of “equal” and

¹⁰⁴ ‘Letter from Chrystal Macmillan to Miss Johnston, 19 November 1930, 5BFW/O5/54’ (London), London School of Economics, The Women’s Library.

¹⁰⁵ ‘Deputation to the Home Secretary from Various Women’s Organisations on Friday Jan 29th 1932 at 12 noon, 5BFW/O5/54’ (London), London School of Economics, The Women’s Library.

“independent” nationality that they failed to bring about any change at all.’¹⁰⁶ Two reports were signed, one that favoured independent nationality and choice for women, and one that wanted strict equality.¹⁰⁷ Macmillan was on the side of independent nationality, and subsequently the organisation she represented, the International Federation of University Women, and one she was closely affiliated with, the IWSA, withdrew from the consulting committee.

Although during her lifetime Macmillan failed to achieve substantive legislative change in the law governing married women’s nationality, there was a ‘direct line’ from her consistent work and clear setting out of the reform she wanted to take place ‘to the setting up of a Commission on the Status of Women by the United Nations’, and to the British Nationality Act 1948 which provided British women with independent nationality.¹⁰⁸ Despite her immediate failure to secure independent nationality for women, Macmillan’s activities on this question show that there was a lively and collaborative feminist lobby working both in Britain and abroad. The broad agreement by feminists on this issue served as a uniting factor in a movement that diversified its focus in the interwar years, and it became a spiritual successor to the suffrage campaigns, emulating suffragist (and even some suffragette) tactics in the pursuit of a change in the law.

Macmillan’s status as a barrister was utilised to bolster these feminist demands, and her legal skills were crucial to the drafting of reports, Bills and memoranda. However, despite extensive agreement in feminist activist circles, Macmillan’s women lawyer contemporaries had different opinions, believing a wholesale reform of the law was too radical. In this, Macmillan identified more strongly with her activist persona, using her legal credentials to support this. In contrast, women like Ivy Williams and Sybil Campbell

¹⁰⁶ Rupp, Leila J., and Verta Taylor, ‘Forging Feminist Identity in an International Movement: A Collective Identity Approach to Twentieth-Century Feminism’, *Signs*, 24.2 (1999), 363–86 (p. 375.).

¹⁰⁷ Page, ‘A Married Woman, or a Minor, Lunatic or Idiot’, p. 316.

¹⁰⁸ *Ibid.*, p. 374.

cautioned moderation, in deference to their legal sensibilities. Macmillan's professional identity had to mould to the wishes of her activism, her professional identity would not compromise her political beliefs.

The Open Door Council and Continued Legal Activism

The late 1920s heralded a dramatic shift in the organisations with which Macmillan was predominantly affiliated. This corresponded with a shift in feminism itself. Johanna Alberti describes it as 'a complex phenomenon, and this complexity reflected the uncertain political mood of the period.'¹⁰⁹ Indeed, the debates and disagreements within feminist organisations cannot be divorced from the economic, political and social context of the interwar years, with rising unemployment and the financial crises of the late 1920s weighing heavily on which feminist reforms were prioritised. Although Macmillan had a long-standing relationship with the NUWSS (renamed the National Union of Societies for Equal Citizenship, or NUSEC, after women's enfranchisement), the organisation she devoted much of her time to in these years was the Open Door Council (ODC).

Founded in 1926, the ODC aimed to secure that a woman should be free to work and protected as a worker on the same terms as a man, and that legislation and regulations dealing with conditions and hours, payment, entry and training should be based upon the nature of the work and not upon the sex of the worker.¹¹⁰ In this sense, it was far narrower in its object than NUSEC, focusing exclusively on removing legal barriers that penalised women's work. This strict equality put the ODC in sharp contrast with NUSEC when Eleanor Rathbone was elected as the NUSEC's new president in 1919. Rathbone championed what became known as 'New Feminism', promoting family endowments for housewives rather than strict

¹⁰⁹ 'Keeping the Candle Burning: Some British Feminists between Two Wars,' by Johanna Alberti in Daley, Caroline, and Melanie Nolan, eds., *Suffrage and Beyond: International Feminist Perspectives* (New York: New York University Press, 1994), p. 295.

¹¹⁰ 'Records of the Open Door Council, Ref: 5/ODC/A1' (London), London School of Economics, The Women's Library.

equality. This placed Rathbone in conflict with the ‘Old Feminists’ on the executive committee, with Macmillan among this faction. As a result, ‘during the 1920s, equalitarian feminists continued to argue through the medium of the Open Door Council.’¹¹¹ Macmillan was involved in this organisation from the beginning, and was immediately appointed chairman of its international committee.¹¹² She remained a member of the executive council until her death in 1937.¹¹³

The ODC was never a large organisation; it neither had the clout of the pre-war suffrage groups, nor managed to attract wide scale public support to its cause. It also, during Macmillan’s life, broadly failed to achieve its aims of eliminating gender inequality under the law. Despite this, it encompassed a small inner circle of women who remained active in the pursuit of its aims, established links with other pro-equalitarian organisations, most notably the Six Point Group, and had broad feminist support. Elsie Bowerman, who shared Macmillan’s views on equality, donated money to the ODC in 1931, 1932 and 1934.¹¹⁴

Described in the press as ‘the more uncompromising section of feminist opinion’¹¹⁵ and ‘the extreme party’¹¹⁶, the ODC’s resolute approach to feminist reforms was seen as being more directly challenging than that of organisations like NUSEC which preferred to focus on improvements to working women and housewives’ lives, rather than strict equality. Indeed, those who plumped for equality were derided as ‘politically anachronistic.’¹¹⁷

¹¹¹ Lewis, Jane, and Celia Davis, ‘Protective Legislation in Britain, 1870-1990: Equality, Difference and Their Implications for Women’, *Policy and Politics*, 19.1 (1991), 13–25 (p. 17.).

¹¹² ‘Records of the Open Door Council First Annual Report, 4 April 1927, Ref: 5/ODC/A1’ (London), London School of Economics, The Women's Library.

¹¹³ ‘Records of the Open Door Council, Ref: 5/ODC/D1’ (London), London School of Economics, The Women's Library.

¹¹⁴ ‘Open Door Council Annual Reports Ref: 5/ODC/A4’ (London), London School of Economics, The Women's Library.

¹¹⁵ ‘London Woman’s Diary’, *The Scotsman*, 25 January 1937, p. 14.

¹¹⁶ ‘A London Letter’, *The Yorkshire Post*, 8 November 1929, p. 8.

¹¹⁷ Kean, Hilda, ‘Searching for the Past in Present Defeat: The Construction of Historical and Political Identity in British Feminism in the 1920s and 1930s’, *Women’s History Review*, 3.1 (1994), 57–80 (p. 63.).

In 1927, the tensions between these two conceptions of feminism came to a head. A split in NUSEC occurred at the Annual Council meeting in February 1927, when Macmillan, along with ten other members of the newly elected executive committee, dramatically resigned on the platform at the close of the conference, because of decisions made by the Council ‘as to the interpretation of equality.’¹¹⁸ This mass resignation was triggered by Eleanor Rathbone, who had introduced an amendment to a resolution on the NUSEC’s policy towards protective legislation, asking for the views of working-class women workers to be considered. This may seem a minor amendment but, given the atmosphere between Old Feminists and New Feminists at the time and Rathbone’s clear ideological alignment with the New Feminists, it caused a furore.

Although Rathbone’s amendment was passed by a single vote, this led to more resolutions—ones that differentiated between the Union’s ‘*primary* goal’ of strict equality and other, more New Feminist reforms that the equalitarians obviously considered secondary.¹¹⁹ Eventually, when the equalitarians lost their final amendment asking for the Council to define family allowances, the dissemination of birth control material, and equality in the League of Nations as ‘less important’, a mass resignation ensued.¹²⁰ This was a clear statement of Macmillan’s feminist leanings—she was not prepared to compromise on issues that she considered fundamental to feminism. When NUSEC, an organisation which Macmillan had been involved in on an executive level for many years, appeared to be adjusting their conception of feminist activism in antithesis to Macmillan’s personal views, she moved her activist focus to other groups that aligned more comfortably with her ideals.

The resignations were widely reported in the national press; and in the following issue of *The Woman’s Leader*, the remaining executive committee members expressed their

¹¹⁸ ‘Discord in Suffrage Union’, *The Yorkshire Post*, 7 March 1927, p. 10.

¹¹⁹ Pederson, Susan, *Eleanor Rathbone and the Politics of Conscience* (Yale: Yale University Press, 2004), p. 193.

¹²⁰ *Ibid.*

‘consternation’¹²¹ at the decision to resign, while the *International Woman Suffrage News* described it as an ‘unfortunate incident.’¹²² To justify their resignation, Macmillan and the other resigning members penned an open letter to the press, in which they stated that ‘several decisions of the council show an increasing tendency to overlook the fundamental object of the Union: equal status of women with men.’¹²³ Following this, there was a spirited debate in the pages of the feminist press upon the reasons for this mass resignation. Macmillan described Rathbone’s critique of the resigning members as an ‘attack’, and in reply, Rathbone stated that Macmillan ‘utterly perverts and misrepresents (doubtless unintentionally)’ her arguments.¹²⁴

Despite this fracture of opinion, Macmillan continued to attend NUSEC events, listening to Dame Edith Lyttelton speak in October 1927.¹²⁵ However, this split, while not total in nature, is representative of the complex and often contradictory ideological concerns within feminism at the time. Macmillan’s resignation as a member of the executive committee is significant because she was such a stalwart of the NUSEC. She had remained on the Committee throughout WW1, even when many other pacifist Committee members resigned. By this point, Macmillan’s feminism was clearly defined, and she was unwilling to compromise on principles she considered incompatible with her concept of equality. As NUSEC became more closely aligned with Rathbone’s ‘New Feminism’, Macmillan evidently decided that she could better implement the reforms she was passionate about from a separate organisation. After 1927, she generally represented the ODC or the Edinburgh Equal Citizenship Society, which affiliated with the ODC in 1930.¹²⁶

¹²¹ ‘To Officers and Members of the National Union of Societies for Equal Citizenship’, *The Woman’s Leader*, 11 March 1927, p. 36.

¹²² ‘Annual Council Meeting’, *The International Woman Suffrage News*, April 1927, p. 87.

¹²³ ‘Editor’s Note’, *The International Woman Suffrage News*, April 1927, p. 87.

¹²⁴ ‘The Resignations from the NUSEC’, *The Woman’s Leader*, 6 April 1927, p. 75.

¹²⁵ ‘British Women Delegates at the Assembly’, *The Vote*, 14 October 1927, p. 323.

¹²⁶ ‘Edinburgh and South-East’, *The Scotsman*, 7 April 1928, p. 7.

Nearly all of the ODC's work centred on their fight against protective legislation that was ostensibly meant to 'protect' women workers, while actually discriminating against them solely on the basis of their sex.¹²⁷ In taking such a stance, the ODC positioned itself as ideologically opposed not only to 'New Feminist' organisations like NUSEC, but also to trade unions and the Labour movement. Macmillan, middle-class and educated as she was, tried to appeal to workers, especially women workers, in order to convince them of the folly of protective legislation. In the course of this, she targeted discriminatory Bills before Parliament which 'were seeking to re-impose old restrictions with respect to women', and the International Labour Organisation (ILO), which Macmillan believed was responsible for 'much of the regulations for restricting women.'¹²⁸ This was because large sections of the ILO, like the national trade union movement, believed in the necessity of protective legislation for women in order to protect jobs for men.

The issue was more complex than this, and some feminists did support protective legislation as a means to reform unsafe work conditions. As a result, this was a contentious issue that was heightened in the tense economic environment of the 1920s. The ODC lobbied Labour MPs,¹²⁹ held public meetings to debate the issue,¹³⁰ and engaged in spirited correspondence with Labour's organ publication, *The Clarion*.¹³¹ Elizabeth Abbot, Chairman¹³² of the ODC, expounded on the reasons why the ODC felt so strongly about protective legislation: 'equal status in all industrial legislation is the first step towards reform.'¹³³

¹²⁷ 'Events of the Year 1927', *Vote*, 30 December 1927, p. 5.

¹²⁸ 'Women Worker's Plea', *Aberdeen Press and Journal*, 27 November 1926, p. 8.

¹²⁹ 'Tea and Politics-Up-to-Date', *Vote*, 16 December 1927, p. 5.

¹³⁰ 'Women in Industry', *The Yorkshire Post*, 1 April 1930, p. 8.

¹³¹ 'Are Men Displaced?', *The Clarion*, 1 September 1930, p. 18.

¹³² Chairman was the chosen terminology of the organisations and women chairmen concerned at the time.

¹³³ *Ibid.*

This stance was roundly critiqued by Labour members, most prominently Ellen Wilkinson and Margaret Bondfield.¹³⁴ Many of the critiques revolved around the ODC consisting predominantly of middle-class women, who could not understand the needs and concerns of working women. Bondfield attacked the ODC at the Women's Trade Union Congress on this basis, saying 'I need not remind you that an open door can admit sweated conditions of labour and unrestricted control of the most helpless ... section of the workers.'¹³⁵ This pointed criticism goes right to the heart of why the ODC divided opinion in all sections of political activism. Often their uncompromising commitment to equality ignored the need for reform for industrial workers, and the wishes of women workers themselves. Indeed, it was not just well-known Labour activists who criticised the ODC's agenda. At a meeting addressed by Elizabeth Abbot 'one woman, a factory worker for 38 years, declared she would fight strongly against the removal of the restriction' on women workers.¹³⁶ Therefore, 'removing trade boards altogether in the manner demanded by the Open Door Council, however, was just as unlikely to promote women's welfare in the labour market as the removal of factory legislation had been in the 19th century.'¹³⁷

This is not to say, however, that the trade union movement's motives for this stance came only from a commitment to women's welfare, but 'the trade unions considered industrial women workers their responsibility, and resisted feminist involvement in improving working conditions for them.'¹³⁸ Working-class women workers were caught between agreeing with middle-class feminists who did not fully comprehend industrial culture and conditions, and whose solutions to industrial problems were inadequate, or trade unionists

¹³⁴ 'The Cave Woman Passes', *The Graphic*, 1 February 1930, p. 14.

¹³⁵ 'Women's Trade Union Congress', *The Common Cause*, 16 September 1927, p. 1.

¹³⁶ 'Help Women: Question of Weight Lifting', *Leeds Mercury*, 24 January 1929, p. 5.

¹³⁷ Lewis, Jane, and Celia Davis, 'Protective Legislation in Britain, 1870-1990: Equality, Difference and Their Implications for Women', *Policy and Politics*, 19.1 (1991), 13-25 (p. 17.).

¹³⁸ Smith, Harold L., 'British Feminism and the Equal Pay Issue in the 1930s', *Women's History Review*, 5.1 (1996), 97-110 (p. 99.).

whose priority remained male workers. Consequently, Macmillan's strict commitment to equal-rights feminism and her inability to fully understand the plight of the women whom she wanted to help constrained her, and by extension the ODC's, activism. As with her legal career, class mediated Macmillan's activism. Her background as a middle-class woman gave her the opportunity to become a lawyer, and her financial stability allowed her to pursue both law and activism without money worries. However, it did not give her the insight needed to fully comprehend the complexities of the issues working-class women workers faced. Instead, she viewed the issues through the middle-class prism of her own fight to enter a formerly closed profession.

Although Macmillan was heavily involved in the Britain-centred ODC, her extensive experience in the international sphere led her to form an international group, the Open Door International for the Emancipation of the Woman Worker (ODI), of which the ODC became the British branch. Formed in Berlin at the Congress of the International Alliance for Women's Suffrage and Equal Citizenship in 1931, this new group had Macmillan's ideological concerns embedded within its aims. Like the ODC, it argued for 'industrial equality',¹³⁹ and like many of Macmillan's activist campaigns over the interwar years, it had a focus on the legal disabilities of married women.¹⁴⁰ Thirteen countries were represented at this Open Door Congress, and the women involved were characterised as 'what might be described as the "left wing"' in an article written by former Scottish suffragette, Helen Fraser.¹⁴¹ However, this characterisation is precisely what limited the ODI from achieving significant success in its aims. The ODI was considered to the left of more mainstream organisations, such as IWSA and even NUSEC, and was often in opposition to both feminist

¹³⁹ Fraser, Helen 'Women's Congress in Berlin', *Aberdeen Press and Journal*, 24 June 1929, p. 4.

¹⁴⁰ Fraser, Helen 'World's Women in Berlin', *Aberdeen Press and Journal*, 26 June 1929, p. 4.

¹⁴¹ Fraser, Helen, 'Women's Congress in Berlin', *Aberdeen Press and Journal*, 24 June 1929, p. 4.

organisations and left-wing political parties. Indeed, on the ODI's formation, protests were held in Berlin by the German Social Democratic Party (SDP) as they 'visualise[d] the entire concentration of feminist forces as an attack by middle-class women on the hard-won legislative standards of their working-class sisters.'¹⁴² Consequently, the ODI occupied a kind of no man's land, unable to fit neatly into the political landscape at either a national or international level.

Both the ODC and the ODI's commitment to strict equality was opposed by many feminist organisations (nationally, NUSEC, and internationally, the IWSA), and the trade union movement whose focus was on the wholesale improvement of workers' rights. Within the workers' movement, 'the labour women were much closer to the "new" feminism of Eleanor Rathbone.'¹⁴³ The peril of approaching activism as an outsider organisation was that it was easy to ignore, and indeed that is what the ILO did to ODI.¹⁴⁴ Therefore, it could be argued that 'the ILO had an ambivalent attitude towards the situation of women in the workforce in its earlier days.'¹⁴⁵ However, this analysis needs to be complicated by the ideological splits within feminism itself during the interwar years. What is clear is that the ODI was born of Macmillan's drive to secure complete legal equality for women, not just in Britain but throughout the world.

Conclusion

Looking back at both her activism and legal career during the 1920s and 30s, it is tempting to conclude that Macmillan's post-suffrage campaign life was full of disappointments.

¹⁴² '—And its Relation to the Second', *The Common Cause*, 12 July 1929, p. 178.

¹⁴³ Banks, Olive, *The Politics of British Feminism, 1918-1970* (Great Britain: Edward Elgar, 1993), p. 29.

¹⁴⁴ Boli, John and George M. Thomas, *Constructing World Culture: International Nongovernmental Organizations Since 1875*, (Stanford: Stanford University Press, 1999) p. 115.

¹⁴⁵ Rogers, Gerry, Lee Swepston, and Eddy Lee, *The International Labour Organization and the Quest for Social Justice, 1919-2009* (Geneva: International Labour Office, 2009), p. 57.

Although she was a competent barrister, this competence did not translate to a sustainable professional practice, and her twin activism focuses, independent nationality for women and opposition to protective legislation based solely on gender, were not achieved until after her death. However, such a conclusion divorces Macmillan's work from the context of the interwar years, both from feminist and professional perspectives. In both her activism and her career, Macmillan laid the groundwork for the future. She used well-reasoned arguments and her extensive knowledge of law to bolster her activism, continued her association with many feminist groups both national and international, and above all, made clear what she defined as feminism. Less comfortable in legal circles, she nevertheless worked hard to establish herself in a profession that was still pessimistic about the entry of women into their ranks. Macmillan, in acting as a pioneer both as a feminist barrister and as a legal activist, contributed greatly to discussions surrounding women's positions under the law and how professional women were perceived in interwar Britain. For Macmillan, this meant that her identity solidified during this period. Her activism shifted further towards feminist legal reform, particularly in terms of married women's nationality. In turn, as an early woman barrister, she settled comfortably into the role of pioneer professional.

Chapter Six: Elsie Bowerman: Maintaining a Professional Identity as a Political Activist

This thesis next turns to a chapter focused solely on Bowerman's career and political activism after her call to the Bar. Unlike Macmillan, who was, even before her qualification as a barrister, renowned for her legal expertise, Bowerman's transition into law seems more haphazard. By highlighting the differences in approach between these women, this thesis will emphasise the plurality of reasons why, and how, women entered law in the interwar years. Even though Macmillan and Bowerman shared many characteristics including feminist, suffrage activist, middle-class, university-educated, barrister, there were also key differences in their approaches to formulating their professional and political identities.

Bowerman sought a career in law to professionalise her activism. Her status as a barrister gave her an authority that had been absent in her suffragette past. Bowerman co-opted the professional expectations and perceptions of the legal profession to further her activism. Accordingly, working within law was more of a tool used to aid Bowerman's activist work than a career in itself. In contrast, Macmillan's long-term legal activism suggested a deep-rooted interest in a career in law. Although her activism remained very important to her during the interwar years, she sought to enact change in the profession from within. Being a barrister was not just a means to an end for Macmillan, but an opportunity to prove that women could be competent legal professionals. This chapter will investigate how Bowerman constructed her professional legal identity, and the political aspect of her lawyering. It will do this through a detailed examination of the most prominent legal case she was included in, her legal writing, and the imperialist direction her activism took during the interwar years.

Work as an Activist-Barrister: Subverting the Politician-Barrister Trope

Bowerman's activism up to 1919 was not explicitly connected with the law, although as mentioned in a posthumous tribute, 'her experience in managing the house property she inherited when she came of age and her knowledge of industrial conditions' gave her a foundational knowledge of the importance of law both in everyday life and in political activism.¹ While this quotation suggests that her interest in a legal career might have been rooted in the family business, on closer inspection of the available evidence it appears that her activism work was a prominent factor in pursuing law. Therefore, Bowerman wished to present her public persona as a barrister-activist, geared towards the general public. Bowerman was less well-known than Macmillan, who was firmly established as a central figure in the NUSEC and other London-based feminist organisations, as well as in the international sphere, by the early 1920s. In contrast, Bowerman remained in the background—from her role as a WSPU foot soldier to her co-founding of the WGE, Bowerman often acted as a support for more prominent figures.²

Bowerman entered law to build upon her activism; her identity as a legal professional added prestige to her activist persona. As a result, internally she conceived of herself as an activist, using her legal skills more as a tool rather than as an identity in itself. Not only did her knowledge of the law give her reformist arguments added weight and force, but her position as being 'among one of the first women called to the Bar' reinforced her feminist credentials as a successful pioneer.³ In this sense Bowerman was subverting the traditional route long established by male barrister-politicians; that of using a successful career in the law as a jumping-off point to becoming a member of Parliament. Instead, Bowerman strove

¹ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

² The Pankhursts (specifically Christabel and Emmeline) in the WSPU, and fellow Suffragette Flora Drummond in the Women's Guild of Empire. (See *Chapter Four* for a full discussion of Bowerman's post-1918 activism).

³ Bowerman, Elsie, 'Reflections Of A Square' (High Wycombe), Wycombe Abbey School Archive, The Bar Chapter, p. 1.

to use her status as a practising legal professional to further her activism, and in yet another difference between her and the traditional barrister-politician, her goal was not to promote herself as a politician, but to promote the reforms and causes of the feminist organisations she was involved in and believed in.

It is important to temper this analysis, though, and make it clear that Bowerman wrote down her experiences of the Bar long after her career ended, and towards the end of her life. Therefore, her motivations may have been applied retrospectively and influenced by later events, rather than accurately recording her thoughts as she began her legal career. Such an analysis lends credence to Amartya Sen's ideas about the role of choice in the construction of identities.⁴ Sen argues that despite certain circumstantial constraints, individuals often prioritise which identities they want to recognise in themselves. Bowerman's memoir was her opportunity to put forward her self-perceptions of her presentation of her career and life, and may have been a retrospective justification for why she was not more successful in her legal career. She put forward an interpretation where she emphasised that the interconnectedness of her law work and her activism fitted with the narrative of a feminist pioneer, an identity that intersected with both her professional and activist persona.

It is clear, however, that Bowerman shared similar difficulties to other early women barristers: those of traversing a profession that was overwhelmingly male and not particularly disposed to women joining its ranks. In her unpublished memoir, Bowerman says little about her work as a barrister. This cursory reference to a career she was evidently proud of (in many of her later writings, Bowerman was careful to identify herself as a 'barrister-at-law')⁵ may be because of Bowerman's adherence to the regulations that forbade barristers from seeking publicity. However, her brief mention of her time at the Bar is revealing. She wrote that 'I secured a place in Chambers where I received great kindness

⁴ Sen, Amartya, 'Beyond Identity: Other People', *New Republic*, 223.25 (2000), 23–30.

⁵ 'Elsie Bowerman's CV, 1945', (High Wycombe), Wycombe Abbey School Archive, p. 1.

and help from the men barristers, though it was not easy for women to collect practice at first.⁶ Bowerman's tacit acknowledgement here of the challenges that early women barristers faced is striking. Although she positions the 'men barristers' as kind, the act of recording the difficulties faced by herself and other women was a clear rebuttal of the idea that the legal profession was a neutral force that treated everyone alike and judged them on merit alone.

Even beyond the people inhabiting the legal system, other institutional structures affected women lawyers' experience of the profession. Issues such as the layout of courtrooms and barristers' chambers, the lack of facilities like bathrooms and robing rooms for women, and the complexities of appropriate courtroom attire also played a part in distinguishing women lawyers from men. Despite the many gendered components that had an impact on women and their careers, early women barristers often downplayed the institutional sexism they faced. There is therefore often a disjuncture between the public portrayal of women barristers' role in the profession and the reality.⁷ Mary Jane Mossman also notes the silences that often come with regard to women's feelings on the reality of their status as lawyers; while there are fascinating archival resources that detail the experiences of women in law during the interwar years, many women, including Bowerman and Macmillan, either did not record their private thoughts on their careers or only did so briefly. If they had publicly stated that men within the profession negatively influenced their ability to succeed, there would have been serious repercussions for their careers. At the time, these silences reinforced the notions of neutrality pervasive in the legal profession. However, from a historical perspective, these gaps are themselves persuasive evidence of the difficulties faced by women professionals.

⁶ Bowerman, Elsie, 'Reflections Of A Square' (High Wycombe), Wycombe Abbey School Archive, The Bar Chapter, p. 1.

⁷ Mossman, 'Precedents, Patterns and Puzzles, (p. 7.).

This idea of neutrality within the law was a key component in jurisprudential thinking at the time and was compounded by the ‘equation of rationality and objectivity with masculinity’—principles intimately connected with the legal profession.⁸ This in turn reinforced assumptions not only that the law was a masculine profession, but also that this masculinity was a synonym for neutrality. Women lawyers, therefore, did not have the luxury of framing their entry into the profession as an extension of the feminine sphere, as had been done by early women doctors.⁹ Although there were areas of law considered less unfeminine, such as family law, even these areas were perceived as having unsuitable subject matter for women lawyers to engage with, for example, the issue of adultery in divorce cases. Ethel Bright Ashford, a contemporary of Bowerman, articulated such concerns in a talk she gave, stating ‘that there were always discussions as to whether or not women should stay in the [divorce] Court.’¹⁰ The sexual aspects of many family law cases therefore rendered even family law not entirely suitable for women legal practitioners.

Unable to associate traditionally feminine roles with that of the lawyer, aspiring woman barristers had to navigate their way through a profession that refused to recognise or even acknowledge the gendered component of their experience of the law. Mossman has convincingly argued that many early women lawyers embraced this idea of the profession treating everyone equally to feel accepted as legal practitioners.¹¹ While publicly women barristers may have insisted on law’s neutrality, private sentiments may have differed.

⁸ Sommerlad and Sanderson, *Gender, Choice and Commitment*, p. 65. This attitude remained prevalent for decades after Bowerman’s retirement: Corcos, Christine Alice, ‘Portia Goes to Parliament: Women and Their Admission to Membership in the English Legal Profession’, *Denver University Law Review*, 75.2 (1998), 307–417 (p. 382.) See Thornton, *Dissonance and Distrust* for a detailed deconstruction of the idea of law equalling neutrality.

⁹ See Blake, *The Charge of the Parasols*, for a detailed discussion of how early women doctors used the doctrine of separate spheres to aid their entry to the medical profession. See Jenkins, ‘Gender, Embodiment and Professional Identity in Britain’ for an exploration of the links between the embodiment of gender and professional identity.

¹⁰ ‘Divorce Laws Criticised. Interesting Legal Address to Chesterfield Women’, *Derbyshire Times & Chesterfield Herald*, 2 October, 1936, p. 24.

¹¹ Mossman, ‘Precedents, Patterns and Puzzles’, (p. 10-11.).

Bowerman's distinction between 'men barristers' and 'women' shows that she saw that this gendered component existed, and also that this component clearly distinguished her from many of her cohort. Her usage of her legal knowledge and advocacy within her activism during the interwar years suggests that Bowerman's understanding of this discrimination in law went beyond her own situation; Bowerman understood that, as Mossman has argued, 'sexism is all-pervasive in legal life.'¹²

Consequently, the nexus between her conservative feminist activism and her career was close and complementary. As a practising lawyer, Bowerman challenged the male exclusiveness of the profession by her very presence, if not through being conventionally successful. As an activist, Bowerman was privy to legal knowledge long unavailable to women and was able to use this knowledge to expose the legal inequalities of ordinary women. The connections between the law and feminist activism were not new, and in fact, had been capitalised on during the campaign for women's suffrage. Macmillan's appearance in the House of Lords in 1906 had been a major political coup, and much was made by the WSPU of Christabel Pankhurst's law degree.¹³ Therefore, 'law was perceived as a key arena by women in their struggle both for the vote and for wider equality.'¹⁴ The granting of partial suffrage in 1918 did not signal the end of the law's importance for women; the entrance of women into the profession in 1919 simply ushered in a new phase in the challenge to sexism and male exclusivity.

However, it is important to note that although Bowerman, and the other early women barristers, were outsiders due to their gender, most of them 'shared the dominant characteristics displayed by the men of their class.'¹⁵ Bowerman and Macmillan's experience as newly qualified women barristers can be contrasted with an anecdote

¹²Sachs and Hoff Wilson, *Sexism and the Law*, preface.

¹³ See *Chapter Two* for a detailed discussion of Macmillan's appearance in the House of Lords in 1908.

¹⁴ Sommerlad and Sanderson, *Gender, Choice and Commitment*, p. 70.

¹⁵ Thornton, *Dissonance and Distrust*, p. 32.

recounted by Stephen Montagu William. He stated that a fellow barrister ‘feeling a friendly anxiety in me as an old Etonian, and being anxious to give me my first brief ... placed this prosecution in my hands.’¹⁶ Although Williams practised decades before women entered the profession, this quotation illustrates just how much weight was given to the importance of social and class connections within the legal profession, reinforcing the idea that law resembled old boys’ clubs. Although gender did distance the women from their fellow barristers, Mary Jane Mossman has noted in her discussion of Cornelia Sorabji’s career that gender is only one factor among many, and to examine it in isolation strips early women lawyers’ lives of their complexity.¹⁷

Early women barristers in England and Wales tended to be university educated and middle-class, and possessing these characteristics allowed them to integrate with their fellow barristers. In doing so, early women barristers sometimes reinforced the male-dominated culture at the Bar¹⁸ through deference to Bar traditions and rules. Enid Rosser noted that ‘those women who have succeeded in the profession have quietly got there by their competence and their fitting in with the traditions of the profession and not by publicity or demanding recognition.’¹⁹ In some ways Bowerman contributed to this reinforcement: socially, educationally and politically she fitted into the traditionalist mould of a barrister. Mossman recognises all three of these factors as being part of a ‘biographical pattern’ that many early women lawyers followed.²⁰ However, Bowerman did not have connections within the legal sector, unlike many of her male contemporaries with family members who were lawyers.

¹⁶ Williams, Montagu Stephen, *Leaves of a Life, Being the Reminiscences of Montagu Williams, Q.C* (Boston, Houghton, 1890), p. 71.

¹⁷ Mossman, Mary Jane, ‘Gender and Professionalism in Law: The Challenge of (Women’s) Biography’, *Windsor Yearbook of Access to Justice*, 27.1 (2009), 19–34.

¹⁸ Sommerlad and Sanderson, *Gender, Choice and Commitment*, p. 81-82.

¹⁹ ‘Papers of Enid Rosser Locket (1899-1980)’. (London), LOCKET, London School of Economics, Women's Library, p. 264.

²⁰ Mossman, ‘Precedents, Patterns and Puzzles, (p. 6.).

Neither Bowerman nor Macmillan needed to rely on their legal practices for financial security; they each had private means of supporting themselves so they did not actually *need* to be successful in a particular sense. However, Bowerman's commitment to her activism challenged the law's claim to neutrality. It exposed her outsider status and meant that she could not be a woman quietly succeeding in the profession. Bowerman's political ideals overshadowed her professional identity; her background as a suffragette compounded this difficulty. In this sense, Bowerman was distanced from the legal establishment. This assessment does not diminish Bowerman's conservative feminist activism, which was broadly in step with that of the political establishment; instead, it pays attention to the complexities and contradictions that early women professionals faced in the construction of their identities. This complexity was framed by the external perceptions of the legal profession by the public at large, and such expectations helped to shape their internal identities. As Fearon has convincingly argued, social and personal identities are interlinked.²¹ Consequently, Bowerman utilised her professional and political identities to respond to these external perceptions, modifying the public presentation of herself when she needed to. Concerning the legal profession, such tensions were amplified at the nexus of politics and law.

Bowerman's difficulties in establishing herself as a professional may have been exacerbated by several factors, including her age and her feminist activist background. Her contemporary Enid Rosser noted in her recollections of the Bar that 'another old Equal Pay for Equal Work campaigner was Elsie Bowerman. She did not achieve much but she was there constantly seen about the Courts.'²² Rosser's identification of Bowerman as an 'Equal Pay for Equal Work campaigner' clearly positions Elsie as an activist, first and foremost, and her association with equal pay shows her continued commitment to feminist activism

²¹ Fearon, *What Is Identity*.

²² 'Papers of Enid Rosser Locket (1899-1980)'. (London), LOCKET, London School of Economics, Women's Library, p. 277.

along the lines of ‘old feminist’ philosophy. This was a philosophy that valued equality between men and women in all areas of life as paramount to the feminist cause.²³ This implies that there was somewhat of a generational divide within the early cohorts of women barristers.

In a *curriculum vitae* (CV) written in 1945, Bowerman stated that she practised from 1924 to 1938 on the South Eastern Circuit.²⁴ The career longevity described by Bowerman in her CV implies a certain measure of success; she was able to sustain her practice for many years. However, it is important to remember that she was not financially dependent on law for her income, and that the measure of success within the Bar was not length of practice but consistent caseload, which it was unlikely that Bowerman ever had. In the Associate’s Minutes Books for civil cases that cover Bowerman’s years on the circuit, she only appears once, in 1931.²⁵ This supports Rosser’s contention that she did not achieve much traditional success in her legal career. However, to the layperson, Bowerman’s CV would seem impressive. This suggests that the construction of her professional identity was done with a lay audience in mind. Fellow lawyers would have known, given her lack of appearances in Court throughout her time at the Bar, that Bowerman’s legal practice was not successful. In contrast, non-lawyers reading her CV would see that she practised for a substantial length of time and joined a circuit,²⁶ and it could be said that Bowerman’s professional credentials and her career were directed towards impressing laypeople rather than lawyers. Her social

²³ For a detailed discussion of the tensions within the interwar women’s movement, see Beaumont, Caitriona, ‘Citizens Not Feminists: The Boundary Negotiated between Citizenship and Feminism by Mainstream Women’s Organisation in England, 1928-39’, *Women’s History Review*, 9.2 (2000), 411–29.

²⁴ ‘Elsie Bowerman’s CV, 1945’, (High Wycombe), Wycombe Abbey School Archive, p. 1.

²⁵ ‘Associate’s Minute Book (Civil cases), ASSI 32/44, 1930-1932’, (London), The National Archives, Kew, p. 145. These volumes relate to civil business kept by the court’s associate that relate to civil cases that originated in the High Court and were referred to the justices of assizes. These minute books give the names of plaintiffs and defendants, their legal counsel, the cause of action and the verdict.

²⁶ The South Eastern Circuit was the first to admit women to full membership to a Circuit mess, electing Ethel Bright Ashford and Miss Llewellyn Davies in 1923. See: ‘General Intelligence’, *The Law Times*, (1923) 155: 196 [accessed 10 January 2021].

identity, as defined by Fearon, distinguished Bowerman as a successful women barrister and political activist separately.²⁷ However, there was an occasion where both the public perception of Bowerman as a lawyer and her personal political affiliations intersected; this occurred when she appeared for the prosecution in the case of *Rex v Pollitt, Strudwick and Beech* at the Old Bailey in 1927.

The Harry Pollitt Case

The case of *Rex v Pollitt, Strudwick and Beech* was mentioned both in Bowerman's own unpublished memoir and in a tribute to her written after her death. Both pieces of writing emphasised the importance of the case to Bowerman. In her memoir she wrote that the case was of 'especial interest to me after leaving Russia'²⁸ and in a posthumous tribute to her, K. A. Walpole, Bowerman's friend and headmistress at Wycombe Abbey School, stated that Bowerman found the case 'most gratifying.' Walpole noted that Bowerman 'received afterwards a warm letter of congratulation from fellow barristers, but probably it pleased her more to think that she had contributed to the discomfiture of a Communist who had libelled a poor English seaman in retaliation for his criticism of Russia.'²⁹ Both pieces of writing also connect the case not only to a sense of professional achievement for Bowerman, but also to her political affiliations. Bowerman explicitly referenced her time in Russia during World War One, where she was a witness to the March 1917 revolution in Petrograd, when discussing the Pollitt case.³⁰ This again demonstrates the interconnectedness between Bowerman's political and professional identity: this case stands out, not only because it represents a professional achievement for Bowerman as an early woman barrister, but also

²⁷ Fearon, What Is Identity.

²⁸ Bowerman, Elsie, 'Reflections Of A Square' (High Wycombe), Wycombe Abbey School Archive, The Bar Chapter, p. 1.

²⁹ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

³⁰ See 'Elsie Bowerman Statement' (London), Museum of London Library, David Mitchell Collection.

because it confirms and supports Bowerman's political opinions. It illustrates the professional endorsement of her activism and again suggests that, publicly, Bowerman wanted to present herself as a barrister-activist.

Such a link, however, is also demonstrative of the inherent tensions between her political and professional identity. As a barrister, professional expectations demanded she remain politically neutral; instead, her role was to formulate the most effective legal argument in order to support her client. Although this professional expectation was more of an ideal than a practical reality, as a woman Bowerman was held to it in ways that men were not. Throughout the Pollitt case senior counsel, Roland Oliver K. C. and Sir Travers Humphrey, frequently criticised the Russian Government, exposing their political beliefs clearly.³¹ These outbursts were not considered at odds with their professionalism, however, in the same way that Bowerman's activism work was.

It is necessary to briefly detail the facts of the case to fully appreciate both the legal and political context. The three defendants, Harry Pollitt, Thomas Robert Strudwick, and Dick Beech, were all members of the National Minority Movement (NMM). The NMM had been established in 1924 by the Communist Party of Great Britain (CPGB) to foster militancy within the trade unions. The CPGB itself had been formed in 1920, although it never amassed a large number of members,³² and 'many historians have seen the British party as the epitome of slavishness to Moscow, partly because it was apparently so weak.'³³ Although Andrew Thorpe argues for a more nuanced interpretation of the interwar activities

³¹ For example 'Case of Rex v Pollitt, Strudwick and Beech re alleged libel of David Scott (National Union of Seamen) in the Minority Movement paper *The Seafarer*; TS record of 1st day's proceedings, Central Criminal Court, 24.10.27, REF: CP/IND/POLL/10/18,'. (Manchester), Labour History Archive and Study Centre (People's History Museum), p. 4 – 5; p. 35 – 36.

³² Thorpe, Andrew, 'The Membership of the Communist Party of Great Britain, 1920-1935', *The Historical Journal*, 43.3 (2000), 777–800 (p. 779.).

³³ Thorpe, Andrew, 'Comintern "Control" of the Communist Party of Great Britain, 1920-43', *The English Historical Review*, 113.452 (1998), 637–62 (p. 642.).

of the CPGB, the alleged libel in this case was directly concerned with the NMM defending the Russian Government's conduct against allegations made by David Scott.

Scott, a member of the National Union of Seamen, deserted his ship at the port of Novorossiysk, Russia, in 1923 on the promise of work. He subsequently lived in Novorossiysk for two years, until he was placed in prison by the Russian Government for ten months and eventually deported. Upon his return to Britain, Scott, with the support of the head of the National Union of Seamen, Havelock Wilson, detailed his negative experiences in Russia.³⁴ Wilson had been openly critical of the Soviet Government, and as such both his and Scott's allegations were furiously refuted by the CPGB and the NMM, who rejected 'any criticism [of the Soviet Government] as counter-revolutionary.'³⁵ Harry Pollitt was firmly entrenched within the NMM as its honorary general secretary and was closely involved with its policies. Therefore, 'politically Wilson and Pollitt were poles apart.'³⁶

The alleged libel occurred on a number of dates in May 1927, within the pages of 'The International Seafarer', a publication connected with the NMM. In this publication, it was alleged that Scott 'lived with a prostitute', 'engaged in contraband deals', acted as a pimp, and stole from seamen he persuaded to return to his house.³⁷ Pollitt, Strudwick and Beech were charged with three counts of publishing 'defamatory libel concerning David Scott', and all three pleaded not guilty, claiming justification.³⁸ All three men argued that even if the jury found that they were responsible for the words constituting the alleged libel, the words were truthful, and as such they were justified in its publication.

³⁴ Mahon, John, *Harry Pollitt: A Biography* (London: Lawrence and Wishart, 1976) p. 141.

³⁵ Durham, Martin, 'British Revolutionaries and the Suppression of the Left in Lenin's Russia, 1918-1924', *Journal of Contemporary History*, 20.2 (1985), 203-19 (p. 216.).

³⁶ Mahon, *Harry Pollitt*, p. 141.

³⁷ 'Case of Rex v Pollitt, Strudwick and Beech re alleged libel of David Scott (National Union of Seamen) in the Minority Movement paper The Seafarer; TS record of 1st day's proceedings, Central Criminal Court, 24.10.27, REF: CP/IND/POLL/10/18,'. (Manchester), Labour History Archive and Study Centre (People's History Museum) p. 11 - 12.

³⁸ *Ibid.*, p.2.

Bowerman first appeared in support of Pollitt's, Beech's and Strudwick's summonses alongside Sir Travers Humphreys in July 1927.³⁹ The defendants were committed for trial later that month.⁴⁰ The prosecution team consisted of Roland Oliver, K.C., Sir Travers Humphreys and Elsie Bowerman. Beech and Strudwick were defended by Serjeant O'Sullivan, and Pollitt defended himself.⁴¹ This case is unusual in the sense that it is very well documented; not only was it prominently reported in the national press, but also transcripts of each day's proceedings were recorded and have been archived in the Labour History Archive and Study Centre. This gives a unique insight into not only the court case, but also Bowerman's role during the proceedings. It is an incredibly detailed record, with each day's proceedings covering between 79 and 103 pages. The entire case extended over 11 days, and although two days of the case are missing, the transcripts reveal the political tensions inherent between the prosecution and defence arguments.⁴²

As Harry Pollitt's biographer states, 'The trial turned on two issues—was the action bona-fide or an abuse of law to further a political campaign? Was Scott's life in Novorossiysk "sober, industrious and respectable", or, as the defence claimed, that of a "pimp, contrabandist and thief"?'⁴³ Pollitt's defence argued for the latter interpretation, with the added caveat that the prosecution was political in itself: a way for those critical of the Russian Government, such as Havelock Wilson, to demonstrate the deficiencies of the recently formed Soviet State. This case was, as such, a wider comment by the British political and juridical elite on the viability and legitimacy of the Soviet Government; if Scott's account of his life in Communist Russia was found to be true, then this posed serious

³⁹ 'Criminal Libel Charge: Minority Movement Pamphlet' *The Times*, 7 July 1927, p. 5.

⁴⁰ 'Alleged Libel on Seaman: Defendants Committed for Trial' *The Times*, 26 July 1927, p. 5.

⁴¹ Roberts, Bechhoffer, *Sir Travers Humphreys: His Career and Cases* (London: John Lane, 1936), p. 226.

⁴² Both the fifth day's proceedings and the eighth day's proceedings are missing from the Labour History Archive and Study Centre as of October 2019.

⁴³ Mahon, *Harry Pollitt*, p. 141.

credibility questions about Russia's way of governing. Pollitt himself agreed with this interpretation, arguing in Court that a 'stranger to the Court might well have imagined that it was the Russian Revolution and its methods which were on trial instead of the defendants.'⁴⁴ The Recorder ruled that Russian administrative tribunals did not amount to courts under English law.⁴⁵ This ruling was significant because it was a comment on the Russian legal system by an English court.

This was a libel case that had wide implications, both politically and legally. Bowerman could therefore easily link it to wider issues of legal and political reform she espoused in her activism. Her being part of the prosecution also gave her a significant role in the critique of the Russian state and communism as a political ideology, a cause Bowerman was in personal political agreement with. Questions were asked in the House of Commons on Scott's behalf by Sir William Davison, and Colonel Woodcock, Conservative MPs. Such questions being asked suggests that the case had inspired contemporary political discourse, and the act of a British Court judging the juridical credibility of the Soviet justice system was certainly novel. Bowerman's comments in her memoir suggest that part of her pride in appearing in this case was because of this political aspect. She referred to Pollitt as an 'enemy of his country', and stated she had 'great pleasure' in winning the case.⁴⁶ Bowerman's professional achievements bled into her conception of politics.

Despite the wider political context of the case being gratifying to Bowerman, it appears from the court transcript that she did not actually speak during the trial. Instead, both her co-counsel, Roland Oliver and Sir Travers Humphreys, spoke for the prosecution. Bowerman's silence, when both of her co-counsel spoke, is suggestive of the senior counsel's opinion on her advocacy abilities, as she was the only barrister who did not speak.

⁴⁴ 'Alleged Libel on Seaman: Old Bailey Trial', *The Times*, 5 November 1927, p. 9.

⁴⁵ 'Alleged Libel on Seaman: Records of Russian "Courts"', *The Times*, 3 November 1927, p. 5.

⁴⁶ Bowerman, Elsie, 'Reflections Of A Square' (High Wycombe), Wycombe Abbey School Archive, The Bar Chapter, p. 1.

This may be demonstrative of the institutionalised sexism implicit within the professions at the time: administrative and clerical work was gendered in nature and often reserved for women. This implies that her role in this case was mainly preparatory. It may also be suggestive of the attention women barristers still attracted in the press: Bowerman may have kept silent because her speaking would have been a distraction. Although both her time in Russia during 1917 and her extensive activist experiences on industrial questions gave Bowerman valuable insight into the complicated political context surrounding this libel, alongside her legal training, her work appears to have centred on research work rather than using the traditional barristerial skill of court advocacy.

The behind-the-scenes work involved in researching not only the legal particulars of this case but also the complex political intrigue of the CPGB and the Russian Government must have been extraordinary, and there is no way to accurately quantify Bowerman's input into this research. However, her lack of court advocacy does support Margaret Thornton's notion that women lawyers were 'fringe-dwellers of the jurisprudential community.'⁴⁷ It was easier for early women barristers to be accepted into the community if they performed roles that were more traditionally feminine, helping and supporting men, as opposed to more masculine activities such as the act of appearing in Court on behalf of a client. Bowerman's role in this case, despite it being a libel case at the Old Bailey that was politically significant, conformed to this notion of 'fringe-dwelling'—she was a silent partner. In this sense, she was reduced to being an invisible member of the prosecution team. Indeed, Harry Pollitt's biographer states that 'the case was heard in October by the Recorder of London, Sir Ernest Wild K. C., at the Old Bailey. Mr Oliver K.C. and Sir Travers Humphreys for the prosecution; Pollitt defended himself.' Bowerman is not even mentioned, she was literally omitted from this historical source.

⁴⁷ Thornton, *Dissonance and Distrust*, p. 3-4.

Despite this historical neglect of Bowerman and her role, this attitude was not universal. In fact, many of the press accounts of the case note the significance of her appearance: ‘For the first time a woman barrister appeared in a libel case at the Old Bailey today, when Miss Elsie Bowerman was one of the prosecuting counsel against Harry Pollitt, Dick Beech, and Thomas Robert Strudwick.’⁴⁸ Due to their novelty, women barristers were regarded as fodder for the newspaper industry.⁴⁹ This repeated recognition of Bowerman’s achievement as a ‘first’ in women in the legal profession is important. Although this thesis strives to go beyond firsts, it is crucial to recognise the slow progress women made within the profession often led up to these firsts. It is also important to note the value attached by early women lawyers themselves to these pioneering achievements. For Bowerman, this first reinforced notions that fit with her conception of herself as a professional pioneer, and recognition within the press helped to normalise the idea of women barristers. It also supports the suggestion that Bowerman’s construction of her professional identity was geared towards the general public. Those within the legal profession would be aware that Bowerman’s low caseload and lack of mentions in the press suggested an unsuccessful legal practice. However, to the layperson, her longevity in law and her association with the prominent Pollitt case suggested a successful women pioneer—an image that Bowerman was keen to capitalise on.

The Law of Child Protection: Legal Writing

Alongside her legal practice, Bowerman also wrote a book on the law of child protection. This was not an uncommon practice among early women barristers; Polden notes that several wrote books on law.⁵⁰ Not only was this a way to supplement their often meagre income at

⁴⁸ ‘T. U. Libel Case: Minority Movement Officials’, *The Shields Daily News*, 24 October 1927, p. 1.

⁴⁹ ‘Papers of Enid Rosser Locket (1899-1980)’ (London), LOCKET, London School of Economics, Women's Library, p. 275.

⁵⁰ Polden, ‘Portia’s Progress’, (p. 315.).

the Bar, but it also gave these women the opportunity to disseminate their legal knowledge in a way that was accessible to those not privy to legal jargon and technicalities. The time needed to write and produce a book in response to new legislation is suggestive of the state of Bowerman's legal practice. Bowerman's book was probably partly written as a guide to the Children and Young Persons Act 1933. The book's intended audience was laypeople rather than legal practitioners. Bowerman's adoption of legal writing further suggests that her professional public identity was targeted not to the legally educated professionals but to an interested cross-section of the public, such as social workers.

In this sense, legal writing by early woman lawyers was a feminist act: although they had been excluded from the practice of law until 1919, this writing helped to further spread knowledge of law more widely. As Judith Bourne argues in the case of Helena Normanton's book on *Everyday Law for Women*, it was written 'with a view that all women should be able to understand the law.'⁵¹ Ignorance of long-established legal principles seemed to be a real concern among women legal professionals at the time. The reduction of such ignorance appears to have been Bowerman's intent with her book; her friend and Wycombe Abbey Headmistress K. A. Walpole asserted that 'with its scholarly notes and references it must have been a godsend to anyone responsible for the care of children—and even perhaps to other lawyers.'⁵² This dual aim, of explaining in clear and understandable language to laypeople and also educating fellow lawyers whose expertise may not lie within child protection, shows the nexus between Bowerman's professional and political identity. She understood the necessity of extending both identities, and saw their interconnectedness. As

⁵¹ Bourne, *Helena Normanton*, p. 186.

⁵² 'Outline of Elsie Bowerman's Life, *Wycombe Abbey Gazette*, December 1973', Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman, p. 33.

a result, although in a posthumous tribute to Bowerman her book was referred to as ‘another achievement as a lawyer’, it was also an extension of her activism.⁵³

Bowerman immediately asserted herself as a legal professional in the authorship of the book; she is identified on the title page as ‘of the Middle Temple Barrister-at-Law.’⁵⁴ By doing this, she identified herself as someone who possessed the appropriate expertise to expound on this subject. Her publisher, Sir Isaac Pitman and Sons, was one of the most prominent educational publishers at the time, and this adds further weight to Bowerman’s qualifications to write on this subject. The foreword to the book was written by Lord Eustace Percy, MP Percy was a prominent Conservative politician who served as president of the Board of Education during the 1920s and was the Member of Parliament for Hastings, Bowerman’s childhood hometown. He was also well-known as an ‘accomplished diplomat’ and a legal reformer.⁵⁵ For these reasons, Percy was a perfect fit for Bowerman’s detailed study of a law that she concluded needed further reform; ‘Miss Bowerman’s valuable work will best fulfil its purpose if it is studied, as it has certainly been written, with an eye to the future.’⁵⁶ These factors suggest that Bowerman could never fully remove herself from the reformist ideals of her activist identity; she used her knowledge of the law to identify future avenues of improvement.

Bowerman split her analysis of the law on child protection into three parts: ‘parental rights and responsibilities’, ‘schools, institutions, and the treatment of juvenile offenders’, and the ‘employment of children and young persons.’⁵⁷ This sectioning of the law is sensible, it allowed her to approach her subject with sufficient detail and equal emphasis. She

⁵³ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

⁵⁴ Bowerman, Elsie, *The Law of Child Protection* (London: Sir Issac Pitman & Sons, Ltd, 1933).

⁵⁵ Reimer, Stephen, ‘A Commentary on Lord Eustace Percy’s “The League of Nations”’, *The RUSI Journal*, 163.3 (2018), 88–90 (p. 88.).

⁵⁶ Bowerman, *The Law of Child Protection*, p. vi.

⁵⁷ *Ibid.*, p. xi – xiii.

conducted a detailed but clear survey of the common law and relevant legislation pertinent to her subject area, examining in detail the current law and any potential reforms. While Bowerman delved into some inequalities between men and women under the law, her analysis was not always explicitly feminist in nature. When discussing the issue of supreme control that fathers have over their legitimate children, Bowerman wrote that ‘this paternal power has been alluded to as a sacred right, and in spite of the limitation which justice and necessity have gradually imposed upon it, it is undeniably based on a conception of society deeply rooted in history ... it is doubtless for this reason that the rights of children remained for so long of secondary consideration.’⁵⁸

On first reading, Bowerman’s identification of this long-standing legal practice as a ‘sacred right’ seems not very feminist in nature. However, her explanation that this practice stemmed from historical traditions, and her allusion to ‘justice and necessity’ demonstrate her true feelings on the subject, as does her critique of the welfare of children not being the central consideration under the common law. Bowerman’s subtle criticism of this legal concept is similar to her gendered critique of the helpfulness of ‘male barristers’ she mentions in her unpublished memoir. While this criticism is not explicit enough to constitute a full-frontal attack on an idea that had, only relatively recently, been subject to legal reforms,⁵⁹ it clearly asserts that the removal of many of the inequalities between the child custody rights of men and women was a step forward because it constituted the removal of injustices and the centring of children’s rights in legislation for the first time.⁶⁰

Bowerman’s equal-rights feminist ideology was made clear throughout the book; she wanted there to be no differences between men and women under the law. Writing about mothers’ rights to children in the event of a marriage breakdown, she stated that ‘gradually

⁵⁸ *Ibid.*, p. 2.

⁵⁹ Poovey, Mary, ‘Covered but Not Bound: Caroline Norton and the 1857 Matrimonial Causes Act’, *Feminist Studies*, 14.3 (1988), 467–85

⁶⁰ This occurred in the Guardianship of Infants Act 1925.

in all questions relating to the custody and upbringing of children the welfare of the child came to be the paramount consideration ... the right of neither parent is to be considered as superior to that of the other.’⁶¹ She was also not shy in addressing inequalities that she considered to be discriminatory against men. ‘There are, however, many Statutes in force which oblige a father to maintain his children. ... A married woman, however, who is deserted by her husband and similarly abandons her children, cannot be so convicted if she has no means with which to maintain them.’⁶² Bowerman’s commitment to equality is again clearly shown here, which is indicative of her particular brand of feminism.

However, equally significant in terms of Bowerman’s professional identity is the need to write a legal text. Although her authorship does imply a level of legal expertise, it is also suggestive of the lack of casework Bowerman was attracting to her practice at this time. Again, this shows that the intended audience for Bowerman’s professional persona was not fellow lawyers, but the general public, who were more likely to be impressed by Bowerman’s status as a practising barrister *and* a legal author.

Imperialist Feminist Activism: Bowerman’s Role in the Women’s Guild of Empire

Bowerman’s scarcity of legal work probably allowed her to focus on her activist work. Unlike Macmillan, Bowerman’s activism was more singular during the interwar years. She was primarily associated with one organisation: the WGE. As considered in Chapter Four, information on the organisation is sparse, but it was founded by Bowerman and fellow suffragette Flora “The General” Drummond.⁶³ The WGE was ‘pro-Conservative and anti-

⁶¹ Bowerman, *The Law of Child Protection*, p. 12.

⁶² *Ibid.*, p. 26.

⁶³ Flora Drummond *nee* Gibson (1879 – 1949) was a prominent working-class member of the Women’s Social and Political Union. During the campaign for women’s suffrage, Drummond was imprisoned nine times.

fascist'⁶⁴. According to a tribute written by the headmistress of Wycombe Abbey after Bowerman's death, the organisation grew to 30 branches and was '40,000 strong, mostly working-class women.'⁶⁵ This suggests that the WGE was a substantially sized organisation. From the number of newspaper reports of their meetings and talks given by prominent members such as Drummond and Bowerman throughout the 1920s, it also appears that the WGE was very active.

Despite this, very little has been written about the Guild and there are very few archival sources catalogued.⁶⁶ This may be because the WGE was conservative in nature. Right-wing women have often been caught in a historical blindspot where they are ignored by both political historians and feminist historians, leaving many conservative women-founded organisations under-researched.⁶⁷ The WGE falls squarely into this category. As a result, many secondary sources are unclear, and sometimes err in their descriptions of the WGE. Claude Frederick Scott, in his thesis analysing the role of imperial activists in the first half of the 20th century, stated that the WGE was a medium-sized, politically minded pressure group comprised of working-class membership that was founded in 1914.⁶⁸ The 1914 founding date seems premature; both Bowerman and Drummond were still heavily involved firstly in the WSPU, and then after the end of WW1, the Women's Party. In an interview the socialist newspaper *Forward* conducted with Bowerman in September 1920, it is clear that even contemporarily there was some confusion about its origins and its

⁶⁴ Scott, Claude Fredrick. 2014. 'Caring about the British Empire: British Imperial Activist Groups, 1900-1967, with Special Reference to the Junior Imperial League and the League of Empire Loyalists' (unpublished PhD Thesis, King's College, London), p. 50-51.

⁶⁵ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

⁶⁶ The Women's Library hold one issue of the WGE's monthly bulletin, 'The Women's Guild of Empire Bulletin, Papers of Vera (Jack) Holme', London School of Economics, The Women's Library, 7VJH/1/5/09. London.

⁶⁷ See Berthezène and Gottlieb, eds., *Rethinking Right-Wing Women* and Berthezène and Gottlieb, 'Considering Conservative Women in the Gendering of Modern British Politics'.

⁶⁸ Scott, 'Caring about the British Empire, p. 50-51., 61, citing Mackenzie, J. M., *Propaganda and Empire: The Manipulation of British Popular Opinion, 1880-1960* (Manchester, 1984).

connections with the Christabel Pankhurst-led Women's Party. The *Forward* reporter concluded that 'the Women's Party was deceased and that the Guild reigned in its stead.'⁶⁹ Taking account of all archival source material, the WGE was probably founded sometime around the expiration of the Women's Party in 1919 and certainly before the interview with *Forward* in 1920, as opposed to 1914. This is not to discredit Scott's work, which is exemplary in its exploration of several imperial activist groups, but to highlight the complexity and difficulty in researching organisations that have no centralised archival sources and little to no academic literature written about them.⁷⁰

The WGE's objects were 'to unite women "to uphold their king and country" and "to work for the good of the nation at home and abroad."'⁷¹ These objects are written remarkably broadly, probably intentionally so, as they allowed the WGE to accept members with a range of political loyalties. However, their motto, 'peace, unity, concord', is suggestive of their primary aim of preventing industrial disputes at all costs.⁷² The Guild opposed trade unions, arguing that strikes and lock-outs contributed to post-war unemployment, and applied a gendered critique to this analysis. Bowerman stated at one meeting that 'the women of the Guild were of the opinion that it was quite time that the skilled trade unions stopped their monopoly and opened the doors of industry to unskilled men and women.'⁷³ A repeating motif on the WGE's agenda was the idea of 'industrial peace', and this concept was expanded upon by Drummond as the Guild gained momentum. She argued that 'much of the present industrial unrest was due to the system of time rates and wages. A system of payment by results would provide an incentive to the workers that would increase production.'⁷⁴ Such

⁶⁹ 'Subterranean Capitalist Organisations: "General" Flora Drummond and "451 Central"', *Forward*, 11 September 1920, p. 5.

⁷⁰ Scott, 'Caring about the British Empire', p. 20.

⁷¹ Bowerman, Elsie, 'The Women's Guild of Empire', *Wycombe Abbey Gazette*, Vol. 9., No. 1.(July 1928), p. 12.

⁷² 'Public Meeting', *Wishaw Press*, 5 August 1921, p. 3.

⁷³ 'Women's Advice to Trade Unions', *Edinburgh Evening News*, 19 November 1920, p. 5.

⁷⁴ 'Women's Guild of Empire', *Shields Daily News*, 24 October 1923, p. 1.

a payment system was exploitative; it only served the interests of employers and capitalism at large. That the WGE advocated for it exposed its leadership's misunderstanding of the intricacies of industry; the Trade Union movement had worked to eradicate piecework since its inception. The argument for piecework demonstrated the Guild's political sympathies lay with the middle-class employers versus the employees.

The WGE also advocated for 'equal pay for equal work',⁷⁵ pressed for secret ballots for miners,⁷⁶ went on deputations to MPs,⁷⁷ emphasised the importance of women using their parliamentary vote,⁷⁸ discussed issues of overpopulation in the country,⁷⁹ hosted a public dance,⁸⁰ put on a play called "The Masque of Empire" performed by miners' children,⁸¹ and held annual conferences.⁸² Bowerman's visibility in these events was inconsistent—although she sometimes made speeches on behalf of the Guild, she does not appear to have been the public face of the WGE: that role was assigned to Drummond. Bowerman's focus, therefore, appears to have been organisational in nature—an interesting parallel to her non-speaking role in the prosecution of Harry Pollitt. This could just be the sphere Bowerman felt most comfortable in, given that even in the WSPU she did not participate in the publicity-attracting militancy but instead engaged in more background activism. Bowerman's relative invisibility could be a deliberate professional and political strategy.

However, such an interpretation does not fit with the notions of pioneering and trailblazing that Bowerman espoused when discussing her legal career. Perhaps, knowing that the highly visible association of other early women barristers such as Macmillan and Helena Normanton with political activism had negatively affected their professional careers,

⁷⁵ 'The Women's Guild of Empire', *Wishaw Press*, 28 January 1921, p. 2.

⁷⁶ 'Women Urge Secret Ballot', *Penrith Observer*, 7 June 1921, p. 8.

⁷⁷ 'Important Deputation to Sir WM Seager, M. P.', *Western Mail*, 20 July 1921, p. 8.

⁷⁸ 'Mothers' Union', *Linlithgowshire Gazette*, 27 October 1922, p. 2.

⁷⁹ 'Emigrant Problems', *Birmingham Daily Gazette*, 28 November 1922, p. 9.

⁸⁰ 'A Revival of Dancing', *Western Morning News*, 24 April 1922, p. 4.

⁸¹ 'The Masque of Empire', *Leeds Mercury*, 16 July 1924, p. 8.

⁸² 'Women's Guild of Empire and Communism', *Western Daily Press*, 17 September 1925, p. 5.

Bowerman preferred to remain in the background. This approach would have been consistent with her approach to suffragette activism, in which she avoided activism that conflicted with her education. While Bowerman's pursuit of this political strategy may have been designed to help her professional career, her silence in the Pollitt case demonstrates its ineffectiveness: she was still relegated to administrative work in both spheres, political and professional.

Bowerman's title in the WGE was that of 'Deputy Controller of the Guild.'⁸³ The thread of militaristic language utilised by the WSPU pre-WW1 continued within the WGE. This, alongside its two founders being former suffragettes, added to the sense that the WGE was somehow connected with the suffrage campaign. This sense was capitalised on by Bowerman and Drummond. In a meeting of a local branch of the WGE in Motherwell, Bowerman stated that 'the aims and objects of the movement ... had its origin in London during the suffrage fight, when women fought for the vote.'⁸⁴ Therefore, past feminist campaigns were employed by the WGE to engender a feeling of legacy—that the WGE were building on a solid foundation of feminist activism.

The similarities between the WSPU and the WGE did not end there: they were also similar in their organisational structure. Both organisations had head offices in London, and a web of local branches spread across the country. By the end of 1920, alongside the Motherwell branch, there were WGE groups in Smethwick⁸⁵ and Coatbridge⁸⁶. Members of the WGE also spoke at meetings held under the auspices of other groups such as the Working Women's Club in Dalkeith,⁸⁷ the Glasgow Women Citizens' Association,⁸⁸ a public meeting

⁸³ 'Women's Guild of Empire', *Motherwell Times*, 8 October 1920, p. 3.

⁸⁴ *Ibid.*

⁸⁵ 'Round the Midlands', *Birmingham Daily Gazette*, 2 March 1920, p. 3.

⁸⁶ 'Coatbridge', *Airdrie & Coatbridge Advertiser*, 6 November 1920, p. 5.

⁸⁷ 'Women's Guild of Empire', *Dalkeith Advertiser*, 2 December 1920, p. 2.

⁸⁸ 'Women and Industrial Problems', *Dundee Evening Telegraph*, 9 December 1920, p. 3.

in Bearsden,⁸⁹ an open-air meeting in Edinburgh,⁹⁰ and a drawing-room meeting in Kirkcaldy.⁹¹

From the concentration of these meetings, it seems that initially the WGE targeted Scotland in an attempt to build up support, and founded local branches by embarking on a speaking campaign in late 1920. This location may have been chosen because Drummond was Scottish. Such a campaign was something that was employed extensively during the suffrage campaign and is another example of the way in which Drummond and Bowerman used the activist skills that they developed while in the WSPU and applied them to the WGE. Indeed, the WGE was described by *The Scotsman* as ‘one of the most active organisations for countering Communist or Bolshevik propaganda in Scotland today.’⁹² By 1922, their geographical reach had expanded. Flora Drummond and other speakers travelled to Wales for a fortnight giving talks and hosting open-air meetings.⁹³

Another similarity, and the one that is perhaps the most obvious, is the woman-focused nature of both organisations. Scott argues that this gendered component is not what makes the WGE unique, but that its status as a ‘working-class organisation’ renders the Guild distinctive within the cluster of imperial groups.⁹⁴ However, for Bowerman, the feminist aspect of the WGE was key—indeed it was the underlying factor in every facet of her activism. The reason why Bowerman was involved in the Guild was its woman-centred activism.

However, whether the WGE was a working-class organisation is open for debate. Flora Drummond certainly had working-class roots, and Elizabeth Crawford has stated that

⁸⁹ ‘A Public Meeting’, *Milngavie and Bearsden Herald*, 10 December 1920, p. 2.

⁹⁰ ‘Women’s Advice to Trade Unions’, *Edinburgh Evening News*, 19 November 1920, p. 5.

⁹¹ ‘What the W.G.E. stands for’, *Fife Free Press, & Kirkcaldy Guardian*, 18 December 1920, p. 5.

⁹² ‘Anti-Socialist Propaganda in Scottish Constituencies’, *The Scotsman*, 11 March 1921, p. 4.

⁹³ ‘Women’s Guild of Empire’, *Western Mail*, 17 July 1922, p. 8.

⁹⁴ Scott, ‘Caring about the British Empire’, p. 253.

her ‘husband, an upholsterer, was often out of work.’⁹⁵ Bowerman’s origins, as have already been explored in Chapter One, were more nuanced. However, it is clear that by this point in her life she had significant financial security and lived comfortably as a result of revenue from her rental properties. Indeed, similar to the criticisms of the WSPU as being essentially a middle-class organisation, much of the comment on the WGE was focused on the makeup of its members.⁹⁶

This was especially the case in April 1926, when the WGE organised a large procession protesting a general strike in London. This procession was in response to widespread industrial struggles within the coal industry that had begun the previous year, and would eventually erupt into the general strike of 1926.⁹⁷ Fuelled by these industrial struggles, alongside trade union militancy, post-war economic depression and a fear of communism akin to that of the Russian Revolution, the general strike was a significant political issue at the time, and many were concerned about its wide-reaching effects on the country. Bowerman, given her first-hand experiences in Petrograd and her conservative political beliefs, had a personal stake in opposing the strike.⁹⁸ It is, therefore, no surprise that the WGE was heavily involved in political activism centred around these industrial issues, and the April 1926 procession is demonstrative of this activism.

The WGE publicised the march extensively, and headlines from regional branch locations frequently noted the heroics of the women who were travelling to the capital: ‘Procession from the Embarkment to Mass Meeting in Royal Albert Hall, London ...

⁹⁵ Crawford, *The Women’s Suffrage Movement: A Reference Guide*, p. 175.

⁹⁶ June Purvis has refuted this notion of a middle-class WSPU. See: Purvis, June, ‘The Prison Experiences of the Suffragettes in Edwardian Britain’, *Women’s History Review*, 4.1 (1995), 103–33.

⁹⁷ See Mason, A., ‘The Government and the General Strike, 1926’, *International Review of Social History*, 14.1 (1969), 1–21 for a more detailed discussion of the context within which the 1926 General Strike occurred and the Government response to it.

⁹⁸ See *Chapter Four* for a discussion of how this experience shaped Bowerman’s post-war activism.

Women Unite to Save the Nation.’⁹⁹ Further to this gendered notion of heroism, the Guild specifically noted in the press that their procession was made up of ‘miners’ wives.’¹⁰⁰ Therefore, a particularly working-class picture of womanhood dominated the promotion for the April procession.

Bowerman was an integral part of the planning for this demonstration.¹⁰¹ Given the sheer numbers of women from different areas of the country involved in the procession, the organisational complexity must have been tremendous. Bowerman’s role in co-ordinating the demonstration demonstrates the professional skill set she had developed in the course of her extensive activism experience. In addition to her organising responsibility, Bowerman also played a key part in promoting the procession. She wrote to the editor of *The Spectator* publicising the event, stating that ‘20,000 women’ were expected to attend, and emphasising that those attending ‘are the wives of working men who have had personal experience of strikes, and know what hardships they mean.’¹⁰² This was a substantial claim to make; not only would the demonstration be numerically large, but in a sense the WGE were claiming to be representative of working-class women’s opinions on this matter. A report of the procession from well-known feminist publication *The Common Cause* somewhat refutes the notion that the procession was comprised of mainly working-class women. Instead, it stated that the march was made up of ‘the right sort of women; solid, cheery, normal women, for the most part of the well-to-do artisan and lower-middle classes.’¹⁰³

Another interesting aspect of the April 1926 procession was the repeated allusions to processions and marches conducted during the suffrage campaign. Like the famous WSPU demonstrations of the Edwardian era, a strong military theme accompanied the procession,

⁹⁹ ‘Stop Strikes and Lock-Outs’, *Motherwell Times*, 2 April 1926, p. 1.

¹⁰⁰ ‘Miners’ Wives and Peace’, *Western Mail*, 13 April 1926, p. 7.

¹⁰¹ ‘Women’s Bid for Prosperity’, *Hastings and St Leonards Observer*, 10 April 1927, p. 3.

¹⁰² ‘The Women’s Guild of Empire Procession’, *The Spectator*, 20 March 1926, p. 17.

¹⁰³ ‘The Ambiguous Procession’, *The Common Cause*, 23 April 1926, p. 103.

with national sections and a general section ‘headed by “commanders” on horseback.’¹⁰⁴

Like much within the organisational structure and publicity strategy of the WGE, the militaristic allusions appeared to be a homage to the earlier WSPU. This symbolism was a recurring motif in Bowerman’s conception of herself: she repeatedly associated herself with soldierly tropes in her WSPU days, during her time as a volunteer in WW1, and in the WGE. In this activism, Bowerman’s professional and political identities intersect with an activist inheritance from the suffragettes. Bowerman’s experiences in revolutionary Russia, as well as her association with the Pankhursts, informed the focus of her political activity after the war. There is a clear link between this and the creation of the WGE, as well as their response to the industrial tensions in the 1920s. In tandem, her role in the prosecution of Harry Pollitt supported and validated such an activism focus. It allowed Bowerman to capitalise on her status as a barrister-activist, by enhancing the links between her professional and political identities.

The WGE rapidly expanded as an organisation. By 1922, it was alleged that alongside Flora Drummond as Controller-in-Chief and Countess Haig, wife of Douglas Haig, as President ‘there are eight assistant controllers, that is nine paid controllers.’¹⁰⁵ By 1925, the WGE claimed 20,000 members.¹⁰⁶ At the WGE’s annual conference in 1925, ‘Miss Elsie Bowerman, secretary, referred to the wonderful growth of the Guild and said it was quite time the women got a look in. It almost looked as if some people in the country wanted the women to turn to militancy again.’¹⁰⁷ This reference to the suffragette militant past again reveals the links between the WGE and the WSPU, and also alluded to Bowerman’s conception of herself as an activist; she ascribed to herself almost mythical origins as a suffragette to legitimise her current activism. Her mention of women getting a

¹⁰⁴ ‘Twenty Thousand Women’, *The Citizen*, 17 April 1926, p. 6.

¹⁰⁵ ‘Socialist War Points’, *Forward*, 20 May 1922, p. 1.

¹⁰⁶ ‘Women’s Guild of Empire’, *Wishaw Press*, 27 November 1925, p. 4.

¹⁰⁷ ‘Patriotic Women Campaign Against “Reds.”’, *Belfast Telegraph*, 17 September 1925, p. 9.

look in again demonstrated the gendered component of her activism, present in almost all the organisations she was involved in throughout her life.

Bowerman's role within the WGE is hard to define, given the lack of records that have been archived. However, it is clear that she was a key component within the organisation; 'one of the pioneers of the movement.'¹⁰⁸ Initially referred to as the Deputy Controller and then the Hon. Secretary, Bowerman appears to have been the organisational mastermind behind the formation and the initial expansion of the WGE; she was the first point of contact for the press, often authoring letters to editors, and she also edited the WGE's organ publication, "The Bulletin".¹⁰⁹ Bowerman's organisational prowess was even commented on by those ideologically predisposed to being opposed to the WGE. A reporter for left-leaning paper *Forward* described her as 'a polite, pleasant, nimble-tongued, and quick-witted lady, on whom there aren't any flies.'¹¹⁰ Apart from this, Bowerman continued with the activism work she had been doing since before the war. She spoke often at local branch meetings of the WGE on a variety of topics, many of them political in nature. In her talks she posed questions like 'Can Legislation Cure Poverty?'¹¹¹ 'State Help and Self Help',¹¹² and 'Capitalism or Chaos.'¹¹³ All of these topics reflect Bowerman's dual interests in law and industry, interests that were also pertinent to the Guild's organisational aim. They also suggest a disillusionment with a capitalist democratic society, and with the ability to effect real social change through legislative reform. Bowerman's activist work had led her away from a more formalised professional politics and instead drew her towards grassroots

¹⁰⁸ 'W.G.E.', *The Fife Free Press*, 28 September 1929, p. 8.

¹⁰⁹ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

¹¹⁰ 'Subterranean Capitalist Organisations: "General" Flora Drummond and "451 Central"', *Forward*, 11 September 1920, p. 5.

¹¹¹ 'The Women's Guild of Empire: Miss Bowerman at Uddingston', *Bellshill Speaker*, 23 March 1923, p. 5.

¹¹² 'Women's Guild of Empire: Meeting in Broxburn', *Linlithgowshire Gazette*, 23 March 1923, p. 2.

¹¹³ 'The Women's Guild of Empire', *Motherwell Times*, 7 November 1924, p. 2.

action. This was a form of activism she was always more comfortable with. Bowerman's continual ease with the methods of activism rather than the ultimate political goals, also pointed to the construction of her political identity. She appeared to prefer the physical processes of activism (i.e. going on marches, giving talks,) rather than focusing on the ideological objectives (i.e. women's enfranchisement and equality under the law.)

Bowerman's statement that 'the first thing to be done was to restore industrial peace and prosperity' illustrates this approach.¹¹⁴ This important first step could not be achieved by legislation, but by cooperation in the local community, and it was this that the WGE focused on fostering, rather than large-scale parliamentary lobbying. Also central to this approach was a consistent and steadfast presence in the communities in which WGE branches had been established. Bowerman was a key part of this strategy; she spoke in numerous locations, often in Scotland, Northern England, and Wales. Accordingly, she became 'well-known in Scotland as an authority on social and industrial questions, and is one of the pioneers of this great movement.'¹¹⁵ This constant and consistent travelling for her activism work begs the question as to when she was able to pursue her legal career, and combined with the scarcity of records relating to her appearances in cases, suggests that her activist work was more prominent than her work as a barrister.

This does not mean that Bowerman neglected her professional identity: in many accounts of her speaking engagements she was identified as a 'Barrister-at-Law of the Middle Temple.'¹¹⁶ However, it speaks to her construction of that identity as a status that added more weight and professionalism to her WGE talks. This suggests that, for Bowerman, 'professional' was a status that crossed both her legal and activist identities. This illustrates the innovative professional scripts that many women had to develop during their admittance

¹¹⁴ 'The Women's Guild of Empire: Miss Bowerman at Uddingston', *Bellshill Speaker*, 23 March 1923, p. 5.

¹¹⁵ 'The Women's Guild of Empire', *Motherwell Times*, 7 November 1924, p. 2.

¹¹⁶ 'Women's Guild of Empire', *Yorkshire Post and Leeds Intelligencer*, 8 December 1924, p. 6.; '"Reds" in Britain', *Western Mail*, 10 March 1927, p. 6.

to male-dominated professions. For women, their continual exclusion from many areas of life, including but not limited to the political and professional spheres, meant that their approach to professionalism differed from their male counterparts. They had already had to construct professional identities in relation to their political activism, and as such, their ideas of professionalism were not as rigid as traditional conceptions of the term.

For instance, Bowerman using her professional status as a barrister added a veneer of neutrality to the WGE's activities, a quality the Guild was keen to emphasise. Bowerman, despite speaking on many politically charged subjects, frequently stated that the WGE 'was a non-political organisation.'¹¹⁷ Her legal training and identity as a professional helped to solidify this impression. The WGE was keen to underscore this neutrality because its organisational aims were wide-reaching and because it aimed to attract members that had many shades of political opinions and loyalties. Despite this, activists such as Drummond and Bowerman frequently spoke out on issues that identified the Guild more closely with a conservative political ideology. Bowerman 'expressed the opinion that there was now a tendency to an increase of State control and help'¹¹⁸ and stated that she 'thought it would be a good thing if canvassing were forbidden just before an election, because it would make all parties work harder between the elections and we would have a more enlightened democracy.'¹¹⁹ Both of these statements constitute definite political opinions, expressed by Bowerman while she was carrying out Guild work.

However, at the same time as Bowerman, and by extension, the Guild, issued political statements while also claiming to be non-political, they also advocated the depoliticisation of industry. Bowerman argued that 'it was no use hoping for prosperity until

¹¹⁷ 'The Women's Guild of Empire: Miss Bowerman at Uddingston', *Bellshill Speaker*, 23 March 1923, p. 5.

¹¹⁸ 'Women's Guild of Empire: Meeting in Broxburn', *Linlithgowshire Gazette*, 23 March 1923, p. 2.

¹¹⁹ 'Women and Empire', *Sheffield Daily Telegraph*, 18 May 1927, p. 3.

those concerned in industry concentrated on business rather than politics.’¹²⁰ Given that industry and industrial occupations were the birthplace of trade unionism and critically important in the development of the Labour movement, this further casts doubt on the idea that both Bowerman and the WGE were politically non-partisan. In addition to disseminating WGE propaganda via speaking engagements, Bowerman had the opportunity in her role as the editor of the Guild’s organ publication to spread WGE ideas to a far larger group of people. With its slogan, ‘Women Unite to Save the Nation’, the Bulletin added to the sense that the Guild was formed of ordinary women who were would-be heroes, saving the nation from the dangers of communism.¹²¹ In her tribute to Bowerman, K. A. Walpole argued that the Bulletin’s role in notifying its readers ‘that in 1925 7,094,000 working days were lost in industrial disputes’ may have contributed to the ‘period of comparative peace in industry’ after the general strike.¹²² This may be a hyperbolic statement of a devoted friend, but what is clear is that this ending was the aim of the Guild, and the sheer numbers of members, branches and meetings suggest that its message did have some impact on women throughout the country. Unfortunately, only one of the Bulletin’s monthly issues has survived. However, an interesting editorial written by Bowerman was reprinted in her local Hastings newspaper. In it, she stated that:

political recognition had raised hope of social betterment and moral equality in women’s minds, education had put knowledge and power into their hands, but these will all be swept away if a reactionary system based solely on a materialist conception of history is allowed to develop ... If the Government and social life of

¹²⁰ ‘Miss E. Bowerman and the Cure for Miners’ Unemployment’, *The Yorkshire Post*, 31 July 1928, p. 17.

¹²¹ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

¹²² *Ibid.*

the country is to be continuously dislocated in this fashion, the parliamentary vote will be of little use to women, or to men either.¹²³

This again emphasises the change in Bowerman's activism priorities; rather than effect a change in the law, she sought a change in society. Interestingly, from this extract it appeared that Bowerman argued that industrial unrest threatened women's political progress. This is indicative of Bowerman's conservative political ideology. She wanted social betterment, but not at the cost of the total unravelling of the social order. To minimise the risk of a revolution, Bowerman firmly believed that political organisations and grassroots societal support were crucial.

Despite its seemingly singular focus on feminism and industry, the WGE was not disconnected from other feminist organisations during the interwar years. Bowerman, alongside other women and feminist organisations, put her name to a letter supporting the inclusion of women peeresses in the House of Lords.¹²⁴ She also spoke at a large demonstration for an equal parliamentary franchise between men and women in Trafalgar Square in July 1927 that encompassed a number of prominent feminist organisations including the Six Point Group, the Women's Freedom League and the National Union of Societies for Equal Citizenship. All in all, 'forty-two organisations' participated.¹²⁵ Interestingly, Bowerman spoke on the north platform, alongside Chrystal Macmillan, who represented the Open Door Council. This brief moment of physical closeness between the two women demonstrates that although their political views and activist priorities varied, both Bowerman and Macmillan were connected because of their feminism, and likely moved in some of the same circles. The difference in their speeches reflects the wide range of feminisms at the time: Bowerman argued that 'time was being wasted in this repeated

¹²³ 'Women and Communism', *Hastings and St Leonards Observer*, 29 May 1926, p. 3.

¹²⁴ 'Organized Women and the House of Lords', *The Common Cause*, 22 July 1927, p. 193.

¹²⁵ 'On the North Side', *The Vote*, 22 July 1927, p. 226.

demand for equality of franchise' and that instead 'women were not only conserving, but constructive, that national housekeeping needed new brooms, and these could be supplied by women.'¹²⁶

Bowerman seemed to be using the rhetorical device to suggest that women could be 'new brooms' if they were not having to spend all their energy on demanding equality. Her reference to 'national housekeeping'—a favourite motif that she made in many WGE meeting speeches and often returned to—implies a specifically feminised approach to solving national political problems. It also directly appeals to the women that Bowerman, and by extension the WGE, most wanted to reach: that is, ordinary, working-class women.

In contrast, Macmillan focused on more heady topics of reform: she argued for 'a number of legislative improvements.'¹²⁷ What these quotes show is a kind of divergence in Bowerman's and Macmillan's feminist thinking. While both had been characterised by Enid Rosser as proponents of equal-rights feminism, it appears that Bowerman's thinking on the subject had evolved, while Macmillan was still determined to resolve legal inequalities whose reform may not dramatically affect or improve the lives of ordinary women.

Despite these differences in activist approach, it is abundantly clear that Bowerman was immensely proud of the WGE's work and legacy. She referred to the organisation as 'pioneers', a status she aspired to attain professionally as an early woman barrister.¹²⁸ She also stated that 'one hundred years hence people would look back with interest and surprise at the way we had been content to allow dissension and strife to get into industry to our own loss, when it was ever so much better to have industrial peace.'¹²⁹ Whether this statement was borne out is up for debate, but what is clear is that the WGE was Bowerman's focus during the interwar years and she adjusted her activism, developed her sense of what was

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*

¹²⁸ 'Women's Guild of Empire', *The Motherwell Times*, 4 October 1929, p. 4.

¹²⁹ *Ibid.*

politically viable for an effective activist organisation, but still held on to tactics learnt during the suffrage campaign in order to further its goals.

However, it seems as if this incarnation of the WGE and Bowerman's involvement in the organisation came to a somewhat abrupt end by the beginning of the 1930s. In November 1929 it was announced that 'at an extraordinary general meeting of the Women's Guild of Empire (Incorporated) a resolution was passed that the Guild be wound up.'¹³⁰ Going forward, 'the Women's Guild of Empire as an incorporated institution was decentralised at the end of October, and will henceforth run in areas.'¹³¹ It appears that this change in the organisational structure ended Bowerman's involvement with the WGE, although Elizabeth Crawford states that Flora Drummond was still working on behalf of the Guild as late as 1945.¹³²

Conclusion

In conclusion, both Bowerman's legal and political work reveal a continued focus on gendered inequalities inherent in the political system and professional life. Her experience as an early woman barrister exposed the difficulties in setting up a legal practice, firstly as a woman, and secondly as a feminist activist. It appears that she was only able to practise for as long as she did because she did not rely on the law financially. Her status as an outsider in a male-dominated profession was further demonstrated by the negligible caseload she obtained. Indeed, the only case Bowerman herself highlighted was intimately connected with her political beliefs. The Harry Pollitt defamation case not only drew on Bowerman's experiences in revolutionary Petrograd, but also on her political activism that involved opposing communism and industrial unrest. Despite these connections, Bowerman was the only prosecution counsel to remain silent during the Pollitt case. This, alongside her lack of

¹³⁰ 'Women's Guild of Empire Wound Up', *Western Daily Press*, 20 November 1929, p. 11.

¹³¹ 'LOCAL NEWS', *The Fife Free Press*, 7 December 1929, p. 6.

¹³² Crawford, *The Women's Suffrage Movement: A Reference Guide*, p. 176-7.

traditional success within the legal profession, exposes the myth of neutrality inherent within law at the time.

Due to the male gatekeepers of the profession and their reluctance to accept women, Bowerman's focus remained her political work. In this, despite repeated allusions to her suffrage past, Bowerman's activism evolved substantially during this time, specifically in the way she deployed her professional credentials in her activism. Bowerman knew that laypeople respected the profession of lawyer, and she used that respect to bolster the message of her activism. Her conception of what was politically relevant had also changed. Bowerman placed less importance on the parliamentary vote and political institutions and instead directed her activism to education and mainstream support from citizens. In effect, the WGE and Bowerman wanted to operate as a bridge between the educated, politically aware citizen and governmental structures. Bowerman occupied the role of a political expert, advising and educating other women on issues she thought pertinent. Her status as an early woman barrister enhanced this role and ascribed to her activism a professional status.

Conclusion

This thesis constitutes the first in-depth biographical account of Elsie Bowerman and Chrystal Macmillan. It has developed this account through a detailed examination of the complex and ever-shifting negotiations between their political and professional identities. In doing this, it has highlighted the obstacles both women faced within the legal profession as women and feminists, and also demonstrated their lifelong commitment to campaigning for and facilitating legal change through their feminist political activism.

With the celebration of the centenary of women's suffrage in 2018 and the centenary of the opening of the legal profession to women in 2019, there has been a renewed focus on women suffrage campaigners and early women lawyers. By placing Bowerman's and Macmillan's activism in a wider context, encompassing not only their suffrage work but also their later feminist activism, and by embracing the complexities and textures of feminism, this research has revealed the numerous interactions between their roles as barristers and political activists. Both roles were entangled with complex societal expectations of behaviour for women; and as such Bowerman and Macmillan had to walk a fine line between conforming and challenging gendered inequalities implicit and explicit within the legal profession and society itself. Their entry into law complicates our understanding of women entering the legal profession, adding nuance to the perception that early women barristers became lawyers solely for the sake of a legal career. For Bowerman and Macmillan, succeeding as lawyers was not the only or most prominent motivation for their entry into law.

This conclusion will summarise and reflect upon the research conducted within this thesis, specifically looking at how this thesis furthers our understanding of early women barristers in England and Wales, and identifying potential avenues for future research. However, it will first examine the aftermath of Bowerman and Macmillan's legal careers, which ended for both women in 1938. In doing so, it will trace the evolution of their

identities, both professional and political, post-law. It will reveal that for Macmillan, standing as a political candidate allowed her to communicate her ideological platform to a wider public audience and emulate the traditional barrister-politician career path while simultaneously subverting this trope with her feminist credentials. For Bowerman, her long-standing activist work continued long after her career as a barrister ended. However, she still used her legal skill set within this activism, and in particular utilised her professional identity to add weight to her political work.

Macmillan: Political Candidate and Dwindling Activism

Macmillan never left the legal profession; her career was cut short by death rather than a decision to leave law. However, in the final years of her life, Macmillan's approach to her activism evolved. This necessitated a shift in her identity: there was a blurring of the lines between her professional and political personas during this period as her activist role became more prominent than her lawyering.

This shift is conveyed by the obituaries written about Macmillan, in which she was more often identified as an activist rather than a lawyer, despite still being a practising barrister at the time of her death.¹ The singularity of focus on Macmillan's activist work is indicative of her legacy: her legal work was almost entirely forgotten. Tribute was paid to Macmillan by her former pupil-master, Marshall Freeman, who alone highlighted her barristerial successes. He wrote that 'she joined my chambers some eight years ago, and for several years regularly went on the Western Circuit ... I have known her to spend days of research over such a case [a poor persons' case] in the hope of finding adequate authority to support what she felt to be a just cause.'² In a sense, Macmillan's work with Poor Persons'

¹ 'In Memoriam: Chrystal Macmillan', *International Woman Suffrage News*, October 1937, p. 3.; 'Champion of Women Dies', *Sunderland Daily Echo and Shipping Gazette*, 22 September 1937, p. 6.; 'Women's Champion: Death of Famous Suffragette Barrister', *Derby Daily Telegraph*, 22 September 1937, p. 1.

² 'Miss Chrystal Macmillan: Appreciations', *The Times*, 23 September 1937, p. 14.

Department cases was a form of feminist activism. She pursued it because it was ‘just’ to offer legal representation to those who would not otherwise have had it. The monetary compensation for such cases was negligible for the ‘days of research’ involved, and as such Macmillan’s legal work in this area explicitly bleeds into the conception of herself as an activist. This again demonstrates the interconnectivity of her professional and political identities, but also is suggestive of the type of work early women lawyers were hemmed into, that of low pay and low status. Freeman continued, noting that ‘the claims of work—legal and social—kept her busy in London.’³ While this does imply an element of duality in Macmillan’s legacy, it is more than likely that much of the legal work Freeman refers to was that of legal activism, such as Macmillan’s campaign for equality in married women’s nationality. As a result, although Macmillan did not leave law in the same sense as Bowerman, she was primarily remembered as an activist and not as a barrister. This was because her legal career was overshadowed by her activism.

Macmillan’s activism had evolved in a more formal direction early in the 1930s. In 1935, she stood as a parliamentary candidate for the Liberal Party in Edinburgh North. This was a familiar career path for barristers; many male lawyers became MPs and held prominent political appointments. In standing for Parliament, Macmillan was in a sense emulating this tradition, although she did so in a way that remained true to her feminist activist roots. This also shows a substantial evolution in Macmillan’s identity. Her decision to stand is distinctly public focused, a change from her work dealing with the government as an organisational envoy.

The 1935 general election was announced on 18 October by Prime Minister Stanley Baldwin. Issues of unemployment and housing, as well as foreign policy, dominated the electoral campaign.⁴ Internationally, during the interwar years, Italy had invaded Ethiopia,

³ *Ibid.*

⁴ Taylor, A. J. P., *English History 1914-1945* (Oxford: Oxford University Press, 2001) p. 383.

and both Britain's and the League of Nations' response to this military action had engendered much debate.⁵ James Robertson argues that 'the National Government had reasonable grounds for return to office.'⁶ The results bear this out; the National Government polled 53.3% of the votes cast, giving them a comfortable majority, the Labour Party polled their highest share of the vote (until 1945) and the Liberals continued their political decline with only 21 MPs being returned.⁷

Macmillan stood as a Liberal Party candidate and a woman in a Scottish seat. These three intertwined factors complicated her candidacy. The Liberal Party had traditionally been a powerful force in Scotland but 'was left as a divided and broken force...set on a course of terminal decline in its traditional Scottish bastions' by 1935.⁸ Although the Liberal Party faced collapse in all areas of the UK, the regional differences between England and Scotland cannot be discounted. Kenneth Baxter has pointed out that the Scottish Liberals did not have a women's sub-group, unlike their counterparts in England. He argues that this failed the Party's female membership and led to a 'lack of Liberal women emerging as strong candidates for Parliament.'⁹ Despite this, women had long been a major part of the Liberal Party machinery, with many 'believing that the ideas of the party of John Stuart Mill continued to be consistent with support for gender equality.'¹⁰ Such an ideal was a crucial cornerstone of Macmillan's political ideology and could suggest why she was drawn to stand as a Liberal parliamentary candidate. However, the number of women Liberal candidates

⁵ Robertson, James C., 'The British General Election of 1935', *Journal of Contemporary History*, 9.1 (1974), 149–64 (p. 151.).

⁶ *Ibid.* (p. 150.).

⁷ Fry, Geoffrey K., 'A Reconsideration of the British General Election of 1935 and the Electoral Revolution of 1945', *History*, 76.246 (1991), 43–55 (p. 44.).

⁸ Baxter, Kenneth, "'The Advent of a Woman Was Seen...as Outrageous": Women, Party Politics and Elections in Interwar Scotland and England', *Journal of Scottish Historical Studies*, 33.2 (2013), 260–83 (p. 260.).

⁹ *Ibid.*, (p. 278.).

¹⁰ Thane, Pat, 'Women and Political Participation in England, 1918-1970', in *Women and Citizenship in Britain and Ireland in the 20th Century: What Difference Did the Vote Make?* (Bloomsbury Publishing, 2012) p. 14-15.

was ‘comparatively poor’ when compared to England and Wales.¹¹ There was not a woman Liberal MP elected in Scotland until 1987, over half a century after the 1935 general election.¹² By standing as a Liberal, for a party already struggling to maintain and gain parliamentary seats, Macmillan’s issues as a woman candidate were compounded.

Therefore, although the Liberal Party faced dwindling support in Scotland, the party both held nostalgic value for Macmillan as the party of her father and her youth, and also was the only major political party that closely aligned with her own political beliefs. Macmillan’s motivations for standing ought to be interrogated further, much like her motivations for becoming a barrister. Macmillan was a politically astute woman; she had extensive experience within parliamentary politics throughout her life. She would have been well aware, given the state of the Liberal Party in Scotland and the impact of her gender, that it was unlikely that the seat was winnable. While it could be argued that Macmillan was assigned the Edinburgh North seat as a trial run for other, potentially more winnable seats, this is unlikely, as her candidature was a ‘surprise’ and a ‘belated entry.’¹³ Instead, it is more probable that Macmillan standing as a political candidate was not done in the expectation of becoming an MP, but instead was to disseminate her political platform to a much wider audience. Therefore, much like her entry into the legal profession, Macmillan’s reasoning differed from the typical. This reveals much about the changing state of Macmillan’s identities; her legal one somewhat receded as her political identity took on a more professional aspect to best promote herself as a parliamentary candidate. She needed to professionalise her campaign, not to best improve her chances of winning the seat, but in order to extend the reach of her political beliefs to as many voters within the constituency as possible.

¹¹ *Ibid.* (p. 266.).

¹² *Ibid.* (p. 283.).

¹³ ‘Another Surprise: Liberal Candidate for North Edinburgh’, *The Scotsman*, 1 November 1935, p. 11.

Despite the unlikelihood of winning, Macmillan entered the contest with her usual indefatigable enthusiasm. She was adopted unanimously ‘at a well-attended meeting’ by local Party members.¹⁴ Three candidates were standing in the Edinburgh North constituency; A. G. Erskine-Hill, of the National Government, G. Crawford, a socialist, and Macmillan.¹⁵ Macmillan stood on a platform that was ‘for the League [of Nations] and peace, but on this point there is no divergence with the National Government representative. Miss Macmillan also stands, as one would expect, for the same rights for women as for men throughout the political and social sphere.’¹⁶ Macmillan’s manifesto aligned with her activist work; her focus on women was pertinent and reflected her feminism. It also may have been a politically astute policy—the Edinburgh North electorate consisted of more women than men.¹⁷ Did Macmillan suppose that a female majority electorate would be more receptive to her feminist politics? Her legal work was also referenced during the campaign: ‘Miss Chrystal Macmillan, being a barrister, has of course the trained legal mind, and those who listen to her cannot but be impressed with her clear statement of a case, her reasoned approach to the matter under discussion.’¹⁸ As with many male barristers before her, Macmillan’s legal advocacy was translated into effective political advocacy. It also suggests that her legal identity was useful in establishing herself as a potential politician.

The fullest impression we have of her electoral platform comes from a meeting she held on 11 November. In it, she detailed her objections to the National Government, arguing that their policies ‘had brought this country much nearer to the danger of war’ and had facilitated the rise of Hitler by refusing to agree to a dramatic reduction of armed forces and

¹⁴ *Ibid.*

¹⁵ ‘Edinburgh North’, *Dundee Evening Telegraph*, 4 November 1935, p. 1.

¹⁶ *Ibid.*

¹⁷ Men, 20,777; women, 26,009; total, 46,786 from ‘Edinburgh: North Division’ *The Scotsman*, 14 November 1935, p. 12.

¹⁸ ‘Woman’s Outlook: Notes and Impressions’, *The Scotsman*, 13 November 1935, p. 15.

weapons.¹⁹ This was a key point of divergence between Macmillan's policies and those of the National Government candidate; Macmillan's focus on issues of foreign affairs was undoubtedly influenced by her pivotal roles in international women's organisations. Her pre-emptive warning against the dangers of the Nazis mirrors Bowerman's; both women, albeit in different ways, were aware of the complicated international situation and sought to alleviate it. Macmillan's position as a supporter of Free Trade was also clear at this meeting. She stated it 'will do more than any other to improve the general welfare of the people of this country, and to foster good relations with other countries on which that welfare so greatly depends.'²⁰ This stance suggests that her candidacy was more multifaceted than Macmillan simply being a 'feminist politics activist' candidate in the narrowest sense, as shown by her knowledge of the economic implications of fair trade.

This complexity did not mean Macmillan abandoned her ideals of feminism. Indeed, both her political and professional identities still hinged on feminist values. She argued that 'the granting of the same rights to women as to men throughout the whole political and social system would enable women more fully to develop their personality and make a greater contribution to the life of the community.' She noted several National Government policies that had specifically disadvantaged women, particularly the reduction of benefits to both married and single women. These were issues taken directly from Macmillan's activist campaigns; she clearly saw mainstream political application in pressing for equality between the sexes.

Macmillan came in third place in the Edinburgh North election and lost her election deposit.²¹ This was an embarrassing loss for the Liberals, and to make this worse Macmillan

¹⁹ 'Liberal Candidate: Charges Against Government', *The Scotsman*, 12 November 1935, p. 8.

²⁰ *Ibid.*

²¹ "'Auld Reekie' Stands Firm', *Belfast Telegraph*, 18 November 1935, p. 9. The election deposit is a sum of money put forward by each candidate, to be returned upon completion of the contest. However, in 1935 if a candidate failed to poll at least one-eighth of the votes, the deposit was lost.

also dramatically decreased the Liberal share of the vote.²² However, for Macmillan this loss would probably have been anticipated. Indeed, although her campaign was unsuccessful, her main motivation in standing was to propagate her political ideas—in this she *was* successful. In this sense, her identity evolved from legal practitioner to political educator. This was a return in style, if not in substance, to the activism of her suffrage campaign days.

Martin Pugh suggests that successful female candidates employed three strategies to best ensure electoral success: assuming the role of a ‘grand lady’, ‘the conventional role of wives and mothers’, or ‘to immerse themselves so deeply in the orthodox appeal and policies of their party that their gender was reduced to insignificant proportions.’²³ Macmillan adopted none of these strategies, indeed her approach seems similar to the one taken by Margaret Corbett Ashby. Pugh argues that ‘[Corbett Ashby] was typical of a large number of women for whom Parliament would have been a natural extension of their work in philanthropy, local government and women’s causes.’²⁴ Macmillan fits into this mould. Macmillan’s failure to fit into the conventions of the political professional, even those strategies newly established by women candidates, is evidence of her maverick status within the political sphere. She could not compromise her long-established activist strategies in order to conform and become electable. Although it was always unlikely for Macmillan to win the constituency, her strong-willed standpoint made it more difficult for her, as a Liberal candidate, to make any headway.

Macmillan’s focus on her parliamentary candidature necessitated a reduction in her activism. However, this may also have been due to Macmillan’s declining health. Macmillan did speak at an Open Door Council meeting in March 1937 in Birmingham, where 300

²² The Liberal candidate who had stood in the 1929 election was William Mitchell, K. C, a fellow legal professional. He had polled 9,877 votes, or 28.1% of the vote, coming in third.²² In 1935, Macmillan polled 1,798 votes, which amounted to 5.76% of the vote. ‘Another Surprise: Liberal Candidate for North Edinburgh’, *The Scotsman*, 1 November 1935, p. 11.

²³ Pugh, *Women and the Women’s Movement in Britain*, p. 170-179.

²⁴ *Ibid.* p. 156.

delegates gathered.²⁵ Her health at this point was rapidly deteriorating, as evidenced by the cancellation of the 1937 ODI conference ‘owing to the serious illness of the President, Miss Chrystal Macmillan.’²⁶ In May 1937, she had her leg amputated.²⁷ In September of the same year, she died in a nursing home in Edinburgh²⁸ due to cardiovascular disease and chronic kidney disease.²⁹

Macmillan’s entry as a political candidate at first sight may seem perplexing, given her sustained work in non-governmental political pressure organisations, critique of male-dominated politics, and her individualistic and non-compromising approach to her activist ideals. However, upon closer examination, these reasons are exactly why Macmillan probably decided to enter the North Edinburgh contest in 1935. It gave her the opportunity to voice her criticisms on a much wider scale to a much larger audience. She probably was under no illusions that her candidacy would be successful. Added to this, by 1935 she was in her sixties and her failing health certainly contributed significantly to a reduction in her activism. She was no longer able to travel in the UK or abroad as freely as she had before, and this curtailed the amount of activism work she did. Her legal practice relied heavily on dock briefs and Poor Persons’ Department cases, and as such it does not appear that she made much money. By this point in her life, Macmillan had developed complex and interlinking networks that spanned fellow feminist activist groups, politicians and legal professionals. Macmillan was a well-known and respected activist and had extensive experience in working with multiple organisations in order to best achieve her activist goals. Macmillan remained committed to both her legal and activist work, tenaciously working towards gender equality under the law in her activism, and then putting this belief into

²⁵ ‘Open Door Council’, *Birmingham Daily Gazette*, 6 March 1937, p. 4.

²⁶ ‘Open Door International’, *International Woman Suffrage News*, July 1937, p. 76.

²⁷ ‘Miss Chrystal Macmillan’, *International Woman Suffrage News*, May 1937, p. 58.

²⁸ ‘In Memoriam: Chrystal Macmillan’, *International Woman Suffrage News*, October 1937, p. 2.

²⁹ ‘Jessie Chrystal Macmillan’, *Statutory Register of Death for Chrystal Macmillan*, 21 September 1937 (685/6 590, National Records of Scotland, 1937).

practice as a legal professional. At the time of her death, her identities had converged—her political work was professional in nature, and her status as an early woman lawyer rendered her job necessarily political. Consequently, Macmillan's shifting identities exemplify the multifaceted connections between activism, professionalism and feminism and the complications faced by women during the interwar period.

Bowerman: World War Two Voluntary Work and the United Nations Commission on the Status of Women

In the posthumous memoir written by Bowerman's friend, K. A. Walpole, it is suggested that Bowerman left law because of 'the gathering clouds of approaching war.'³⁰ This reasoning is consistent with Bowerman's public-facing professional identity. Bowerman developed her identity with a public audience in mind; as such, ascribing to herself percipient knowledge of World War Two gave her a valid, acceptable reason for leaving law. It suggests that she did so because of pressing national need. However, the reality is probably more complex. By the year she left law, Bowerman was 49 years old. Did she struggle to compete with younger barristers? Was she, as K. A. Walpole suggests in her posthumous tribute, imbued with a 'certain restlessness in her nature, the restlessness which sent her on constant trails all through her life'?³¹ Did the continual exclusionary practices within the legal profession prove too much for Bowerman?

As Sandra Fredman has stated, 'even when women were formally allowed into various professions, *de facto* segregation persisted.'³² Bowerman, as a veteran of the feminist movement who was a prominent member in many female-only organisations, may be expected to have not been surprised by this continual segregation, but it was sustained and

³⁰ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

³¹ *Ibid.*

³² Fredman, Sandra, *Women and the Law* (Oxford: Clarendon Press, 1997) p. 111.

appeared to go more or less unchallenged. Mossman asserts that ‘women were not generally welcomed at Circuit and Session Messes until the second half of the 20th century.’³³ This continual exclusion from social events substantially affected women barristers’ ability to network with their colleagues and establish work connections. The ongoing discrimination may have been too much for a woman who had spent most of her adult life committed to ensuring formal equality between men and women. Bowerman probably left law due to a lack of work and career development opportunities.

After leaving the Bar in 1938, Bowerman fully concentrated on her activism work by joining the Women’s Voluntary Service (WVS). The WVS was initially founded to encourage women volunteers to help their fellow citizens in the event of wartime air raids. It is necessary to briefly explain the origins of the WVS within the context of the approaching war. Created by the Department of Air Raid Precautions (ARP) in 1935, the WVS was a scheme to protect civilians from the dangers of air raids, organised by local government, which would be staffed by volunteers. The creation of this scheme highlights the political tensions in Europe at the time. By 1938, the Home Secretary, Samuel Hoare, had contacted Stella Isaacs, Marchioness of Reading to ask her to start a new women’s organisation whose aim was to recruit women into the ARP.³⁴ The earliness of Bowerman’s involvement with the ARP in relation to the start of the war is suggestive of her heightened awareness of the political situation in comparison with the general public.

The WVS was launched 18 June 1938 at the House of Commons.³⁵ Under the leadership of Lady Reading,³⁶ ‘the Women’s Voluntary Services was the largest women’s

³³ Mossman, ‘Precedents, Patterns and Puzzles, (p. 8.).

³⁴ Graves, Charles, *Women in Green: The Story of the W.V.S. in Wartime* (London: William Heinemann Ltd, 1948) p. 1.

³⁵ *Ibid.*, p. 14.

³⁶ Stella Isaacs, Marchioness of Reading (1894–1971) was a prominent philanthropist who founded the Women’s Voluntary Service.

organisation in British history and, for a few years, perhaps the most important.³⁷ Although set up primarily to ensure women were prepared for air raids,³⁸ the WVS gradually extended its remit ‘to include evacuation; billeting; the distribution of food and clothing; the manufacture of camouflage netting; salvage and national savings schemes; welfare services to the young, the old, the displaced, and the sick; and a host of other *ad hoc* activities.’³⁹ The WVS is unique in the sense that it was an organisation set up specifically to face the challenges of war, was geared towards women, and was staffed by women volunteers. Bowerman’s attraction to such an organisation is understandable considering her past activism; joining the WVS was an extension of her women-focused ideology that emphasised the responsibility that citizenship brought.

Bowerman’s role in the WVS is difficult to ascertain. According to the WVS official history, many staff were ‘collected by the snowball method of personal contact rather than by any stern test of qualifications, into office procedure.’⁴⁰ This is probably how Bowerman was recruited—she had extensive experience in woman-centred activism and was well-connected to many prominent feminist philanthropists. Her status as a lawyer and successful woman professional pioneer also gave Bowerman a route into the WVS. Not only was she an example of modern feminist womanhood, but her legal skill set, research and advocacy would be beneficial to this wartime organisation.

Bowerman appears to have worked in a prominent role within the central office of the WVS, based in London; in photos that appeared in contemporary press reports, she often stands to the right of Lady Reading.⁴¹ Lady Reading herself noted the importance of

³⁷ Malcolmson, Patricia, and Robert Malcolmson, *Women at the Ready: The Remarkable Story of the Women’s Voluntary Services on the Home Front* (United Kingdom: Little Brown, 2013) p. 1.

³⁸ *Ibid.*, p. 2.

³⁹ Hinton, James, ‘Voluntarism and the Welfare/Warfare State. Women’s Voluntary Services in the 1940s’, *Twentieth Century British History*, 9.2 (1998), 274–305 (p. 278.).

⁴⁰ Graves, *Women in Green*, p. 8.

⁴¹ See ‘The Women’s Gallant Part’, *The Tatler*, 13 September 1939, p. 39.

Bowerman's work, writing, 'I feel that it is ridiculous for me to thank you because we have been in the job together since the start, and have managed to weather so many storms, that the W.V.S. is as essentially you as it is me.'⁴² This effusive praise not only implied Bowerman's importance and centrality within the organisation, but also suggests that she was an indispensable worker.

Bowerman's role was a critical one: much of the success of the WVS depended on the public knowing about its activities, and public meetings were crucial in promoting this organisation. It also utilised Bowerman's extensive experience in publicising and popularising causes. Her activist work so far had prepared her for this role. In addition to this organisational position, Bowerman also participated in giving speeches in order to stimulate the setting up of local WVS branches. Taken together, both her work as head of a department and liaising with the public through regional meetings demonstrate Bowerman's prominence within the organisation. She was key to both the organisational strategy of the WVS and the effective implementation of this strategy. Despite the obvious connections between her past activism and war work, the WVS activism appears to be at a distance from her legal career. Despite this distance, Bowerman instrumentalised her legal skill set to best promote the WVS; she conducted extensive research and she advocated for the aims of the organisation to a wide variety of audiences. This change in activism focus had been a necessity rather than a conscious choice: the war meant drastic changes for everyone. Bowerman adjusted by shifting her professional identity away from law but still utilising aspects of her legal experience. This underscores the interactions between her political and professional identities.

WVS organisers would set up meetings and invite prominent women.⁴³ On 25 July 1939, Bowerman hosted such a meeting, giving a 'brilliant address' to 60 women in

⁴² Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

⁴³ Graves, *Women in Green*, p. 12.

Gateshead on the needs and requirements of WVS volunteers.⁴⁴ In her narrative report back to the WVS she wrote that ‘they showed very great interest and enthusiasm, and the Centre has now been opened at Gateshead.’⁴⁵ The setting up of these regional branches was crucial to the WVS’s success as an organisation; it was important to develop an interlinking network to ensure that there were enough volunteers to cover each area. Bowerman appears to have quickly established herself as vital in helping to create this network. Despite her identity seemingly firmly established as a key member of the WVS, Bowerman was nevertheless still referred to as ‘a barrister who is head of the speakers’ department of the Women’s Voluntary Services.’⁴⁶ Bowerman’s legal persona still had importance for her activism work. Like in the WGE, it gave her opinions and statements added weight and gravitas. Even with the distancing between her activism and legal work, she was still associated with the law.

The initial meetings were usually addressed by Lady Reading herself or ‘Senior WVS members.’⁴⁷ Bowerman was one of these senior members, and even in 1938 stressed the dangers of a potential war, stating ‘that the people of this country were incredible optimists, and it was a good thing to keep calm, but a little more energy was needed for the task of being prepared.’⁴⁸ Again, this shows her political foresight when it came to the approaching hostilities. She clearly grasped the significance of the WVS and its role in any potential future conflict. This may be due to her previous wartime experience; working as part of the Scottish Women’s Hospitals (SWH) during World War One informed Bowerman not only about the importance of volunteering but also that organisations committed to volunteering needed to have a solid organisational structure behind them.

⁴⁴ ‘Women’s Voluntary Service/Women’s Royal Voluntary Service Narrative Reports, 1939’. (Devizes), Royal Voluntary Service Archive.

⁴⁵ *Ibid.*

⁴⁶ ‘Chance for A.R.P. “Widows”’, *Surrey Advertiser*, 25 March 1939, p. 12.

⁴⁷ Malcolmson and Malcolmson, *Women at the Ready*, p. 3.

⁴⁸ ‘Chance for A.R.P. “Widows”’, *Surrey Advertiser*, 25 March 1939, p. 12.

Another similarity between Bowerman's roles in both conflicts was that both SWH and WVS focused specifically on recruiting women. This focus aligns with the feminist work Bowerman had done throughout her life, and she constantly highlighted essentialist reasons why women, in particular, needed to join voluntary organisations like the WVS. It was reported that 'she pointed out that it was peculiarly women's work to protect the home, and urged every woman to undertake such duties as she was capable.'⁴⁹

In this, she was showing support for the cultural expectations of womanhood. Although she subverted these expectations as a single, professional, political woman, she knew that in order to appeal to the ARP's target audience she had to support the values society held dear. This again shows the tension in societal expectations women had to adhere to, even if they pushed the boundaries in other areas, such as being professional women. Such tension is intensified further by Bowerman's profession of law; legal discourse often centred on ideas of neutrality, which was really masculinity in disguise.⁵⁰ Therefore, Bowerman went even further in transgressing the societal norms of womanhood because she embarked on a career that was inherently associated with men and masculinity. Such subversion is demonstrative of the fluidity of Bowerman's identities; she constantly adjusted her persona based upon the needs of her audience.

Bowerman spoke on the subject of national service on 8 March 1939 in Walsall, alongside K. M. Lindsay, MP, from the National Labour Organisation, who was Parliamentary Secretary at the Board of Education, and Sir George Schuster, a barrister and Liberal MP for Walsall. Bowerman's appearance alongside two MPs demonstrates the quasi-official nature of the WVS. It also suggests an evolution in the organisations Bowerman was a part of and their relationship to the State. When she was involved in the suffrage campaign, Bowerman participated in a group that operated in direct conflict with not only the

⁴⁹ 'Women's Work for A.R.P.', *Buckinghamshire Examiner*, 2 December 1938, p. 4.

⁵⁰ Thornton, *Dissonance and Distrust*, p. 14.

government of the time, but also the laws of the country. This had changed significantly by World War Two: she was now a lawyer working in conjunction with the government. This suggests that Bowerman was somewhat successful in traversing the male political elite, although only on terms deemed acceptable by those in power.⁵¹ The government were happy to utilise female activists' experience in order to facilitate their policies; less so when those activists worked in opposition to their political ends.

Bowerman also edited the *Monthly Bulletin*, a publication that detailed the work of the WVS across the country.⁵² Like her other duties within the WVS, this was a position for which she had extensive experience: she had also edited the WGE organ publication and wrote extensively for the *Wycombe Abbey Gazette* throughout her life. The *Bulletin* is an enthralling read in the opening months of the war, as it details the fast-paced and complex work the WVS was undertaking:

Everyone reached their stations with the utmost rapidity and waited breathlessly on events. As they waited, they realised that the great whole which they had helped during the preceding months to create was now a living moving entity, and that it would function with ever-increasing smoothness and regularity as long as its services were needed, though perhaps not always in quite the way anticipated.⁵³

Bowerman left the WVS in March 1940, to join the Ministry of Information. A warm tribute to her was written in the *Monthly Bulletin* on her exit from the organisation, stating that 'everyone who came in contact with Miss Bowerman must feel sad to know that she has now left W.V.S. Her special gifts, and her sense of fun, will be greatly missed in Tothill

⁵¹ 'Public Notices', *Walsall Observer and South Staffordshire Chronicle*, 4 March 1939, p. 1.

⁵² 'Elsie Bowerman's Roll File'. (Cambridge), Girton College Archive.

⁵³ 'Women's Voluntary Services for Civil Defence, Bulletin No. 1., November 1939', (Devizes), Royal Voluntary Service Archive, p. 1.

Street.’⁵⁴ Again, this final tribute to Bowerman implies her value to the WVS, and the fact that it was published in a national, organisation-wide magazine suggests again her centrality to the organisational structure as well as her importance regionally.

Bowerman’s time in the WVS seems like a natural progression for her political activism, combining activities for which she had extensive experience. Unlike her work in both the WSPU and the WGE however, in the WVS Bowerman was not campaigning for rights for women, but for women to take responsibility in the event of war. For Bowerman, duties and responsibilities were a crucial component of citizenship. Her commitment to the organisation from 1938 also demonstrates her political astuteness. Bowerman was well aware of the urgency and extent of the political tensions in Europe and sought to mitigate the effects on her fellow civilians by mobilising the women of Britain into a capable volunteer army. By doing so, she was demonstrating her feminism practically by encouraging women to partake in the war effort in an organised and structured manner. It is also important to note that Bowerman’s political activism continued despite her career at the Bar coming to an end. This suggests a kind of permanence to her political identity that did not attach itself to her role as a barrister, although the title of ‘barrister’ was frequently invoked to give credence to her activist persona. This speaks to the fact that her legal practice was geared towards the general public, rather than the legally educated.

After a brief time working at the Ministry of Information (MOI), she joined the BBC Overseas Service, initially for a ‘special investigation and report on Information Depts. (Overseas).’⁵⁵ Interestingly, all of Bowerman’s wartime roles were intimately involved in the war effort, and her core values of public service and activism are clearly seen in all three jobs. At the BBC, Bowerman’s area of expertise again appeared to revolve around the dissemination of information, although in the BBC this skill was utilised for overseas

⁵⁴ ‘Women’s Voluntary Services for Civil Defence, Bulletin No. 5., March 1940’, (Devizes), Royal Voluntary Service Archive, p. 2.

⁵⁵ ‘Elsie Bowerman’s CV, 1945’, (High Wycombe), Wycombe Abbey School Archive.

propaganda reasons rather than public engagement in the UK. Interestingly, there were connections between the MOI and the BBC; Edward Stourton writes that on the outbreak of war, the MOI assumed responsibility for the BBC.⁵⁶ This could indicate how Bowerman transferred to the BBC: her connections within the MOI may have provided that opportunity.

Bowerman was then transferred to Overseas Liaison in the BBC Overseas Service. During the war, the BBC became increasingly important in its dissemination of information, both to the general public in the UK and those listening overseas. Bowerman's role working in collaboration with others overseas was no doubt crucial in this success. She worked for the BBC until the end of the war, and not only did her work give 'her more freedom and scope', but also allowed her to develop connections that brought new opportunities after the war.⁵⁷ Her war work, beginning with the quasi-official WVS, advanced to the government-controlled MOI and BBC. This move from quasi-official to official again demonstrates Bowerman's acceptance into the political sphere, as well as its reliance upon women like her who had activist credentials in order to turn the UK into a war-efficient nation.

Bowerman's staff file at the BBC was destroyed.⁵⁸ However, her cessation form was kept. It shows that she worked as a Liaison Assistant for the North American Service from 18 August 1941 to 31 January 1945, when she resigned. Despite records of her employment being destroyed, she can be traced within the BBC Written Archives, which give a vague idea of the kind of work she was doing. She received and sent a number of cables overseas, including some in code.⁵⁹ This internationally-focused work heralded a change in direction in Bowerman's activism; hitherto she had concentrated on projects in England. However,

⁵⁶ Stourton, Edward, *Auntie's War: The BBC During the Second World War* (London: Transworld Publishers, 2018), p. 9.

⁵⁷ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

⁵⁸ Only a small number of BBC staff files were retained.

⁵⁹ 'North American Programme Organiser, Schedule Change in North American Service, 13 October 1943,'. (Reading), BBC Written Archives; 'Overseas Liaison, Buerger Pot-Pourri, 4 August 1942,'. (Reading), BBC Written Archives.

working at the BBC not only gave her the opportunity to broaden her horizons but also allowed her to develop connections with like-minded activists overseas. Indeed, Walpole wrote that Bowerman's time at the BBC 'led on after the war to short periods of service with the United Nations.'⁶⁰

Bowerman's role in the United Nations was complementary to her previous feminist activism. She was the secretary of the United Nations Commission on the Status of Women which convened in 1947.⁶¹ In establishing this Commission, it was agreed 'that a complete and detailed study of legislation concerning the status of women and its practical application be initiated.'⁶² Bowerman's qualification for such a role is abundantly evident; her legal knowledge gave her the professional tools to be able to assist in this detailed study of laws affecting women, and her extensive feminist activism experience meant that she was well informed on issues concerning women. Her past organisational experience in the WGE, the WVS and the BBC made the role of secretary ideal for her.

The Commission's aims also reflected the ideals Bowerman had worked for throughout her life: politically it recommended the rights of 'universal suffrage', 'equal right to vote', 'equal right to be elected', and the 'equal right to hold public office.'⁶³ It also issued recommendations that were central to feminist thinking of the time, including a woman's right to keep her own nationality and pass her nationality down to her children by choice, the issue that Macmillan had devoted extensive time to during her lifetime. The elevation of these important feminist areas of concern to an international level is central to Bowerman's activism at this time; she stated in a meeting in 1945 that 'we must try to extend the feeling

⁶⁰ Miscellaneous Correspondence and other Items 1910 -1973 7 ELB/B/B, Papers Of Elsie Edith Bowerman.

⁶¹ Commission on the Status of Women, Report of the Commission on the Status of Women to the Economic and Social Council, E/281/Rev.1, 25 February 1947, United Nations, <<https://undocs.org/E/281/Rev.1>> accessed 15 December 2019, p. 2.

⁶² Commission on Human Rights, Report of the Commission on Human Rights to the Second Session of the Economic and Social Council, E/38/Rev. 1, 21 May 1946, United Nations <<https://undocs.org/E/38/Rev.1>> accessed 15 December 2019, p. 12.

⁶³ *Ibid.*, p. 17.

of individual responsibility to other countries as well as maintain it in our own.’⁶⁴

Bowerman’s work for the UN operated to restore her legal identity after the war by refocusing her activism upon gendered legal inequalities worldwide.

In conclusion, Bowerman’s work during World War Two represented a shift in her activism; it developed from the grassroots, regional approach that she was familiar with to roles in quasi-official and governmental organisations. This enabled Bowerman to enter high-profile roles, allowing her to disseminate her values of conservative feminism and public work to a wider audience. Her post-war involvement in the United Nations also gave Bowerman a platform to combine her feminist and legal identities on an international level. Taken in conjunction, these are demonstrative of Bowerman’s activism becoming increasingly professionalised. While this does suggest a shift towards her political identity becoming centralised, she never truly left her legal persona behind. Her position as a barrister-at-law was still invoked in order to facilitate her activism, but her legal identity had evolved alongside her wartime work. Her activism still utilised her legal skill set, but shifted away from an explicit focus on legislative reform and towards mobilising the community in order to support the domestic war effort. This was a necessary change at a time of international crisis, but crucially, despite this, Bowerman’s identity still remained dual in nature—that of a legal professional and a political activist. This again demonstrates the connections between her roles as feminist and lawyer, complicating our understanding of professional and political women during this period. Bowerman remained active in numerous organisations until her death in 1973.

Bowerman and Macmillan’s Significance: Early Women Barristers and Political Activists

Bowerman and Macmillan’s continuing activism cannot be disentangled from the challenges women barristers faced within the profession. Consideration of their legal careers, and why

⁶⁴ ‘Women and the Future’, *Hastings and St Leonards Observer*, 10 November 1945, p. 11.

both women ultimately left law, is intimately connected with their political identities. For Macmillan, poor health led to both her activism and law practice dwindling. Her age and increasing issues with physical mobility demonstrated how much of her earlier work, both in political and legal spheres, relied on extensive travelling throughout the UK and abroad. It also compounded the gendered discrimination she faced; disability scuppered her legal career and her activism. Bowerman, less encumbered by health issues than Macmillan, nevertheless used the advent of World War Two and the increased need for community-focused activism as justifications to relinquish her work as a barrister. War provided a convenient reason for Bowerman to leave legal practice—it allowed her to retain her pioneering status as an early woman barrister while at the same time leaving a profession that proved unsustainable for her in terms of finding work.

In many ways, Bowerman and Macmillan are atypical biographical subjects for legal research. Although they were middle-class, university-educated, white women, neither succeeded in the traditional sense as lawyers. They were not, within the early cohorts of women barristers, exceptional, in the sense that they did not achieve the major ‘firsts’, were not appointed King’s Counsel, nor did they rise to the judiciary. Therefore, by examining their professional lives, this research expands upon past academic work which has focused on those women who were ‘shining stars’ of the legal profession, who either achieved firsts or established a viable and substantial legal practice.⁶⁵ Accordingly, it provides us with a more nuanced picture of the environment early women lawyers operated within, and increases our understanding of the Bar at this time.

In addition to their anomalous status within the profession, both Bowerman and Macmillan came to the law as already established feminist political activists and continued with this activism while practising at the Bar. This, according to Mary Jane Mossman,

⁶⁵ Polden, *Portia's progress*, (p. 304).

further distinguishes them from their fellow early women lawyers.⁶⁶ By examining the interactions between their identities as activists and as barristers, this research has enhanced our comprehension of professional and political women in the early 20th century.

Bowerman and Macmillan's lifetimes spanned multiple time-periods; from their Victorian childhoods, to their prominence in the Edwardian women's suffrage campaign, their work during World War One, their interwar dual status as barristers and activists, and ending finally with Bowerman's death in 1973. Their lives therefore offer rich research potential in examining the middle-class cultural framework, the gendered connotations of the term 'professions', and the interactions between feminism and law. This research is a dual biography of women connected by their profession and their status as political activists, rather than by familial, social or intimate links.

Many scholars have acknowledged the links and overlaps between biographer and subject, and as I have progressed in my research of Bowerman and Macmillan's lives, I confess I have grown to admire both of them. As a law graduate, studying women who were a part of that pioneering generation of women who first breached the male enclave of the Inns of Court has been most inspiring. In addition, the activist work of Bowerman and Macmillan on behalf of women, equality and feminism is equally gratifying. Kathleen Barry argues that 'the biographer becomes interactively involved with the subject through interpretation of meaning.'⁶⁷ Accordingly rather than a biographer uncovering 'true pictures' of their subject, they instead find fragments of 'multiple representations' that are coloured by their own interpretations.⁶⁸ It is in this spirit that this thesis embarked upon, not a quest to find the objective truth of Bowerman's and Macmillan's lives, but an analysis of the representations that they left behind. Because of this, and in part due to the focus this

⁶⁶ Mossman, *The First Women Lawyers*, p. 21. Mossman argues that many early women lawyers embraced the identity of '*lawyers*, ungendered'.

⁶⁷ Barry, Kathleen, 'The New Historical Syntheses: Women's Biography', *Journal of Women's History*, 1 (1990), 75–105, (p. 77 – 78).

⁶⁸ Israel, 'Writing Inside the Kaleidoscope', (p. 40- 41).

research places upon the nexus between professional and political identities, this thesis is not intended to be exhaustive in nature. Indeed, given the sheer range and amount of their activism work, it would be impossible to include everything of importance Bowerman and Macmillan did during their lives without sacrificing analytical content. Although Bowerman and Macmillan's lives have been examined in tandem, this thesis has striven to elucidate the differences (as well as parallels) between their political ideologies, their methodological approaches to activism, and the reasons behind their decisions to embark on legal careers. Therefore, both women are somewhat representative of the political diversity of the early cohorts of women barristers.

Detailed discussion about professions and professionalism has been integral to this thesis. Law is a quintessential example of a profession and has traditionally been bound up with ideas of neutrality and masculinity, with masculinity firmly imbued within ideas of neutrality.⁶⁹ As a result, when women were admitted as barristers through legislation and not through the consent of the Inns of Court, they were complete outsiders to this long-established legal culture. Early women barristers entered an environment that was not designed or adapted for their sex. Spatially, they were often confronted with buildings with no female toilets or changing facilities for women counsel. Bodily, debates about their appearance, work attire and even the pitch of their voices raged in the press. Culturally, despite being lawyers, these women were still bound by societal expectations of middle-class womanhood that restricted their movements, behaviour, and ability to fully participate in the masculine-dominated legal profession. Despite admittance to the Bar, early cohorts of women barristers still had to fight for the right of entry to professionally important sub-groups such as circuits and Bar messes. All of these factors severely impacted the career prospects of early women barristers. They entered law at a serious disadvantage to their male counterparts. Women in law had to create for themselves new professional scripts to

⁶⁹Thornton, *Dissonance and Distrust*, p. IX

minimise the impact of their gender; they had to simultaneously appear to be adhering to professional codes of conduct while also conforming to societal expectations of middle-class women. At times, this was an impossible balance to maintain.

To complicate this further, women barristers who had feminist activist backgrounds had additional pulls upon their professional selves. Bowerman and Macmillan had to negotiate the cultural expectations of themselves as women alongside pressure to succeed as barristers. However, in addition to this they sought to reform gendered inequalities inherent in both the legal system and society at large. Neither Macmillan nor Bowerman were reticent about their activism; they frequently utilised the national and local media to promote the feminist organisations they were involved with. This commitment to activism necessarily had an impact on their professional identities. However, it was an impact acknowledged and employed by both women. Being an early woman barrister was, for them, political. Not only did their presence prove to both the legal profession and the public at large that women could be lawyers, it also allowed them to cultivate their political activism, buoying it with their status as barristers. Although it was a long-standing and professionally acceptable career move for male barristers to move from the Bar to political office, feminist activism merely compounded Macmillan and Bowerman's outsider status. Whatever early women barristers did—be it to assimilate to the conventions and rules set down by the Bar or agitate for reform, they were still treated differently because of their gender within and outside the profession.

Bowerman and Macmillan's legacy as both lawyers and as activists is of wider significance than previously thought. However, despite parallels between the two women, there were significant differences in their ideological beliefs and in their approach to creating a professional and political identity. Bowerman used the opening of the legal profession to women as a way to legitimise and professionalise her right-wing feminism; her role as a lawyer was supplementary to her activism. Both her personas—feminist activist and barrister—were bound up with notions of breaking down gendered barriers and being a

‘pioneer’ modern woman. In this, it is clear to see that Bowerman’s feminism was integral to her entry into law, due to the societal acceptance and class status granted to her as a lawyer. Her conservative, imperialist political leanings and feminism were reconciled through her legal career. The position of barrister alleviated the impact of her suffragette past while allowing her to still pursue her feminist activism in a more socially acceptable way. Bowerman’s professional identity was a tool utilised to widen the impact of her activism. This does not mean she was insincere in her pursuit of a legal career. Rather, it suggests that Bowerman, as an older woman who was financially secure and had an activist past, was realistic about her prospects.

As a profession, law, particularly the barrister branch, was imbued with historical and cultural scripts unknown to the layperson. This knowledge distance between the average citizen and those who worked within law was crucial to the construction of Bowerman’s public identity. The public would perceive Bowerman as a success because of her career longevity and her involvement in a notable case; the legal insider with knowledge of the profession’s etiquette would know differently. The target audience for Bowerman’s public persona was then the general public, further implying that her political identity was more dominant, and that her professional identity acted as a supplementary tool that enhanced her activism.

For Macmillan, her long-standing interest in the misogynistic inequalities implicit and explicit within English law suggests a more reciprocal relationship between her professional and political identities. From her time arguing that Scottish women university students had already been enfranchised to her work in married women’s nationality, highlighting and campaigning against gendered inequality under the law remained a constant within Macmillan’s activism. Due to this, she became renowned nationally and internationally in feminist circles because of her legal expertise. Such a foundation rendered her entry into the legal profession almost inevitable. However, her shift from a noted and respected insider within the women-dominated feminist organisations to a junior member of

the strictly hierarchal, socially complex, and male-dominated environment at the Bar heralded an abrupt schism in the development of her professional and political identities. Macmillan's activism had always been professional in nature—she was a committed member of many significant feminist organisations; her activism was non-domestic and involved frequent travel, both nationally and internationally; she often engaged in political discourse with Members of Parliament, and it is clear that she was deeply committed to her work. Entering law, a classic example of the male-defined 'profession', merely placed an official stamp on her already acknowledged legal expertise.

Macmillan's activism continued within law—her work focused mainly on dock briefs and Poor Persons' Department cases, which were almost always poorly paid and which featured a client who was unable to afford legal representation by the usual means. However, Macmillan's legal career was not merely a selfless act that extended and enhanced her feminist legal activism. She displayed the same indefatigable approach to her work as a barrister as she did to her activism. Her decision, when among other women barristers, to claim a locker at the London Sessions rather than insisting that all women barristers should be given one, is demonstrative of her ambition within law.⁷⁰

However, a key similarity in both women's approach to law is the importance Bowerman and Macmillan attached to the notion of trailblazing, of paving the way for future women, and of being pioneers. These concepts were integral to their political socialisation as feminists; suffrage publications frequently highlighted women's firsts in the UK and across the world. These 'first' women were crucial in terms of breaking down barriers for women in male-dominated professions and industries, and in adapting male scripts of professionalism to suit their needs as women. This was extremely difficult for women to do

⁷⁰ 'Letter from Helena Normanton to Chrystal Macmillan, 29 June 1933, Papers of Helena Normanton: correspondence concerning legal matters' (London), London School of Economics, The Women's Library.

within law, given its centuries-long roots, its close association with masculinity and the difficulty of women in arguing, as women doctors successfully did, that practising law was an extension of their feminine sphere.

Although neither Bowerman nor Macmillan achieved much in terms of traditional success at the Bar, it is important to examine their motives and aims in entering law. Both used their legal knowledge to critique case law and legislation that continued to discriminate against women. Both, and Bowerman in particular, used their status as lawyers to enhance their activist advocacy. Macmillan subverted sexist stereotypes within the profession in order to gain work that received praise from the judiciary and press alike. Placed within the proper historical and feminist context, Macmillan and Bowerman succeeded at the Bar by their mere presence as women and as activists. They did, alongside their fellow early women barristers, pave the way for future women lawyers, while at the same time refusing to accept the status quo of gendered legal inequality on a wider basis. Their aim to be pioneers and to break down barriers was achieved on some levels, because they, alongside their cohort, developed early drafts of female legal professional scripts that could be followed, adapted and improved upon for future generations.

Overall, this thesis represents the first in-depth biographical treatment of Elsie Bowerman and Chrystal Macmillan. By focusing on two women who never traditionally succeeded as interwar women barristers, it furthers our understanding of the gendered dimensions of the Bar in the years after the admission of women to the legal profession, a hitherto under-researched area of legal history. In examining the negotiation of their professional identities with their well-established political identities, this research also enriches our comprehension of feminist activism, women within the professions and the relationship between law and politics during the late-19th and 20th centuries.

Avenues for Future Research

This thesis fills a historiographical gap, in terms of both women lawyers and political activists during the interwar years. In doing so, it contributes significantly to our understanding of women professionals and feminist advocacy. More specifically, it expands our historical perception of the English Bar beyond highlighting barristers who succeeded traditionally within law. Bowerman and Macmillan's feminist activism, conceived from radically different political perspectives, reveals flourishing and consistent political campaigning throughout the interwar period. This research, therefore, illuminates the interplay between both identities—those of feminist political activist and pioneering woman barrister. It demonstrates that these identities were distinctive for women barristers and feminist activists.

Throughout this thesis, opportunities for further research beyond its scope and space constraints have been identified. Further work could be conducted on the barrister branch of the legal profession between the Judicature Acts of the 1870s (which reformed the courts' structure) and the creation and implementation of an effective legal aid scheme after World War Two. Although excellent work by Dunam has looked in depth at the Bar during the 19th century, and Abel has written an almost 200-year overview of the legal profession, the period from 1900-1945, in particular, remains overlooked.⁷¹ In addition to this, further work that builds upon Ren Pepitone's exploration of the physical space of the Bar, illuminating the relationship between gendered exclusion and buildings, restrictions on female attire, and the oral socialisation into the political culture of the profession, would be immensely beneficial in furthering our understanding of early women barristers' experiences.⁷²

In addition, Bowerman was also a founding member of the International Federation of Women in the Juridical Careers (FIFCJ). The FIFCJ was an 'alliance of female lawyers

⁷¹ Duman, *The English and Colonial Bars*; Abel, *The Making of the English Legal Profession*.

⁷² Pepitone, 'Gender, Space and Ritual'.

and judges from Estonia, Germany, France, Spain, Poland, and Britain. This group appears to have been the first viable and most influential international legal sorority of the era ... forging connections among women from a number of emerging republics.⁷³ This was an organisation that promoted close interaction between women legal professionals in various European countries, allowing for not only the interchange of legal principles and ideas, but also the dissemination of politics. Unfortunately, little is known about the FIFCJ, with Sara Kimble currently undertaking pioneering work tracing the role of the organisation. Although ‘officially the FIFCJ was neutral and “apolitical,” ... by 1929, it was recognised as a non-governmental organisation with the right to approach the League of Nations.’⁷⁴ This link with the League of Nations is suggestive of the political leanings of the FIFCJ; it appears the group was committed to the facilitation of world peace. Bowerman’s role and activities within the FIFCJ are currently unknown, but her very presence as a barrister and founding member adds a new dimension to her activism previously unexplored in academic literature featuring Bowerman. While this thesis has more fully drawn out the relationship between her professional and political identity, it also suggests that further work is necessary to explore the cross-national links developed by early women lawyers such as Bowerman. In terms of political activism, my research has revealed the scarcity of work on the WGE, a not-insubstantial imperialist feminist organization, supporting the critique that right-wing women have traditionally been ignored by historians.⁷⁵ Further investigation into the WGE would also be a potential avenue for future research.

⁷³ Röwekamp, Marion, and Sara L. Kimble, ‘Introduction: Legal Cultures and Communities of Female Protest in Modern European History, 1860-1960s’, in *New Perspectives on European Women’s Legal History* (United Kingdom: Routledge, 2016) p. 12.

⁷⁴ *Ibid.*, p. 12.

⁷⁵ Berthezène and Gottlieb, ‘Considering Conservative Women in the Gendering of Modern British Politics’.

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